

6641. By the SPEAKER: Petition of the City-Wide Tenants Council, New York City, petitioning consideration of their resolution with reference to low-rent housing for the west side of Manhattan; to the Committee on Banking and Currency.

6642. Also, petition of the Associated General Contractors of America, Inc., Washington, D. C., requesting consideration of their resolution with reference to Work Projects Administration, restrictions, inheritance taxes, extension of Public Works Administration program of hospitals, sewers, and water supply—utilizing Public Works Administration Federal aid for highways, Public Buildings Administration program; to the Committee on Ways and Means.

6643. By Mr. BOLLES: Petition of sundry citizens of Racine, Wis., protesting against Senate bill 2420, the Federal mine inspection bill, known as the Neely-Keller bill; to the Committee on Mines and Mining.

6644. By Mr. ENGLEBRIGHT: Senate Joint Resolution No. 2, relative to discrimination in steamship service and freight rates between New York and California ports to the Panama Canal Zone; to the Committee on Interstate and Foreign Commerce.

6645. Also, assembly joint resolution No. 14, relative to the continuance of Japanese beetle suppression under Federal auspices; to the Committee on Agriculture.

6646. By Mr. HALLECK: Petition of sundry citizens of Otterbein, Ind., urging early enactment of legislation providing for an excise tax on retail stores; to the Committee on Ways and Means.

6647. By Mr. MARTIN J. KENNEDY: Petition of the New York State Association of Letter Carriers, Newark, N. Y., urging support of the Rogers court of appeals bill (H. R. 2569); to the Committee on the Civil Service.

6648. Also, petition of the New York State Association of Letter Carriers, Newark, N. Y., urging support of the Keogh longevity bill (H. R. 991); to the Committee on the Civil Service.

6649. Also, petition of the American Legion Auxiliary Unit of the Private Chauffeurs of New York, Post No. 1179, New York City, urging support of the American Legion's five-point program; to the Committee on Foreign Affairs.

6650. By Mr. KRAMER: Resolution of the General Welfare Federation of Southern California, relative to House bill 5620, etc.; to the Committee on Ways and Means.

6651. Also, resolution of the Associated General Contractors of America, Inc., relative to recommending extension of Public Works Administration; to the Committee on Appropriations.

6652. Also, resolution of the Associated General Contractors of America, Inc., relative to Federal aid for highways; to the Committee on Appropriations.

6653. Also, resolution of the Associated General Contractors of America, Inc., relative to program of hospitals, sewers, and water supply—utilizing Public Works Administration; to the Committee on Appropriations.

6654. Also, resolution of the Associated General Contractors of America, Inc., relative to Public Buildings Administration program; to the Committee on Appropriations.

6655. Also, resolution of the Associated General Contractors of America, Inc., relative to inheritance taxes; to the Committee on Ways and Means.

6656. Also, resolution of the Associated General Contractors in regard to Works Progress Administration restrictions; to the Committee on Appropriations.

6657. By Mr. MERRITT: Resolution of the Bindery Women's Union, Local 66, International Brotherhood of Bookbinders, American Federation of Labor, New York City, urging the Congress to support the equal rights amendment to the Constitution in an effort to bring it to a vote at the present session of Congress; to the Committee on the Judiciary.

6658. By Mr. PLUMLEY: Resolution of the Burlington Unit, Unitarian Fellowship for Social Justice, seeking investigation of the activities and possible Fascist connections of the Reverend Charles E. Coughlin, of Detroit; to the Committee on Rules.

6659. By Mr. PFEIFER: Petition of the Joseph A. Wynn Post, No. 260, Veterans of Foreign Wars, Brooklyn, N. Y., opposing the importation of refined sugar from the tropics; to the Committee on Foreign Affairs.

6660. By Mr. SCHWERT: Resolution of the Citizens Committee of Buffalo and vicinity that substantial financial aid be given to the Republic of Poland; to the Committee on Foreign Affairs.

6661. By Mr. SPRINGER: Resolution of the Steel Workers Organizing Committee lodges of the Indianapolis district in convention assembled on February 18, 1940, urging that the President of the United States call a conference of leaders in labor, agriculture, industry, and Government to work out a plan to establish prosperity and end unemployment; to the Committee on Labor.

6662. Also, resolution of the Steel Workers Organizing Committee lodges in the Indianapolis district, favoring the slogan "The Yanks are not coming," and urging a public attitude against participation in any war, except the war against poverty and unemployment in our own country; to the Committee on Military Affairs.

6663. By Mr. WIGGLESWORTH: Petition of the members of Local No. 21455, Atlantic Fishermen's Union, Boston, Mass., urging a congressional investigation of the fishing industry; to the Committee on Merchant Marine and Fisheries.

SENATE

MONDAY, FEBRUARY 26, 1940

The Chaplain, Rev. Zebarny T. Phillips, D. D., offered the following prayer:

O Thou who dost sustain man's spirit by an undying hope, satisfy us early with Thy mercy, for we would come to Thee while the day is young and life is full; we would choose Thee with all the kingdoms of the world before us and in preference to all the treasures of knowledge or the pleasures of sin. Do Thou quicken in us this true resolve, and hearken to the prayers of our hearts, which come in highest moments when we think not of ourselves but only of Thee.

Throughout this day do not Thou forget us nor release the hidden thread that binds us to our duties and our tasks. Help us with pure hearts and minds to live so honestly and fearlessly that no outward failure can dishearten us or take away the joy of conscious integrity. So may we strive in all things to render loyal service to our country and to Thee, our God, who art ever calling us to be followers of Him whose cross will one day win the world, even Jesus Christ Thy Son, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 22, 1940, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calhoun, one of its reading clerks, returned to the Senate, in compliance with its request, the bill (S. 2103) to exempt certain Indians and Indian tribes from the provisions of the act of June 18, 1934 (48 Stat. 984), as amended.

The message announced that the House had passed a bill (S. 643) authorizing the payment of necessary expenses incurred by certain Indians allotted on the Quinalt Reservation, State of Washington, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8068) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1941, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. LUDLOW, Mr. O'NEAL, Mr. JOHNSON of West Virginia, Mr. MAHON, Mr. CASEY of Massachusetts, Mr. TABER, Mr.

McLEOD, and Mr. KEEFE were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 3138. An act authorizing J. E. Pate, his successors and assigns, to construct, maintain, and operate a bridge or ferry across the Rio Grande at Boca Chica, Tex.;

H. R. 4776. An act to amend section 6 of the Organic Act of Alaska;

H. R. 5784. An act to provide for the conservation and transfer of accumulated sick leave and vacation time due classified civil-service employees who succeed to the position of postmaster, and for other purposes;

H. R. 7018. An act to amend section 289 of the Criminal Code;

H. R. 7019. An act to amend section 1 of the act providing punishment for the killing or assaulting of Federal officers;

H. R. 7020. An act to amend section 2 of the act of March 4, 1931 (46 Stat. 1528), in regard to service of process on the United States in foreclosure actions;

H. R. 7135. An act to authorize the leasing of the undeveloped coal and asphalt deposits of the Choctaw and Chickasaw Nations in Oklahoma;

H. R. 7147. An act to amend the service pension acts pertaining to the War with Spain, Philippine Insurrection, and the China Relief Expedition, to include certain continuous service;

H. R. 7339. An act to exempt sail vessels from the provisions of section 13 of the act of March 4, 1915, as amended, requiring the manning of certain merchant vessels by able seamen, and for other purposes;

H. R. 7420. An act to amend laws for preventing collisions of vessels;

H. R. 7612. An act for the transfer of funds to the town of Wrangell, Alaska;

H. R. 7863. An act to amend section 602 (e) of the Communications Act of 1934, as amended, relating to a study of radio requirements for ships navigating the Great Lakes and inland waters of the United States;

H. R. 8033. An act to authorize the Secretary of War to furnish certain markers for certain graves;

H. R. 8151. An act to provide travel expenses of civilian officers and employees upon official change of station;

H. R. 8307. An act to change the date of transmission to Congress of the Budget of the United States in years in which a new President takes office;

H. J. Res. 219. Joint resolution to provide for the erection of a monument to the memory of the patriot priest, Father Pierre Gibault;

H. J. Res. 385. Joint resolution establishing a Greenville Memorial Commission to formulate plans for the construction of a memorial building to commemorate the Treaty of Greene Ville at Greenville, Ohio;

H. J. Res. 407. Joint resolution to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended; and

H. J. Res. 424. Joint resolution to authorize the United States Maritime Commission to acquire certain lands at St. Petersburg, Fla.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 1850. An act to aid the States and Territories in making provisions for the retirement of employees of the land-grant colleges;

S. 2867. An act to authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed to the Pennsylvania Railroad Co., for right-of-way purposes, a small strip of land at Veterans' Administration facility, Coatesville, Pa.;

S. 2868. An act to facilitate the procurement of aircraft for the national defense;

S. 2876. An act to amend the Annual and Sick Leave Acts of March 14, 1936;

H. R. 112. An act to facilitate control of soil erosion and flood damage on lands within the Ozark and Ouachita National Forests in Arkansas;

H. R. 1456. An act for the relief of Maj. Herbert A. Jacob;

H. R. 2860. An act for the relief of Ben Willie Jones, as legal representative of Thelma Jones, a deceased minor;

H. R. 3391. An act providing payment to employees, Bureau of Reclamation, for mileage traveled in privately owned automobiles;

H. R. 3794. An act to establish the Kings Canyon National Park, Calif., to transfer thereto the lands now included in the General Grant National Park, and for other purposes;

H. R. 4198. An act for the relief of M. L. Parish;

H. R. 6084. An act for the relief of Kathryn S. Anderson;

H. R. 7050. An act for the relief of certain former disbursing officers for the Civil Works Administration; and

H. J. Res. 456. Joint resolution making available for the fiscal year 1940 an additional amount from the special funds heretofore set up for the payment of compensation benefits authorized by certain emergency relief appropriation acts.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	Johnson, Calif.	Reed
Andrews	Davis	Johnson, Colo.	Reynolds
Ashurst	Donahay	King	Russell
Austin	Downey	La Follette	Schwartz
Bailey	Ellender	Lee	Schwellenbach
Bankhead	Frazier	Lodge	Sheppard
Barbour	George	Lucas	Smith
Barkley	Gibson	Lundeen	Stewart
Bilbo	Gillette	McCarran	Taft
Bridges	Glass	McKellar	Thomas, Idaho
Brown	Green	McNary	Thomas, Okla.
Bulow	Guffey	Maloney	Thomas, Utah
Byrd	Gurney	Mead	Tobey
Byrnes	Hale	Miller	Townsend
Capper	Harrison	Minton	Truman
Caraway	Hatch	Murray	Vandenberg
Chandler	Hayden	Neely	Van Nuys
Chavez	Herring	Norris	Walsh
Clark, Idaho	Hill	Overton	Wheeler
Clark, Mo.	Holt	Pepper	White
Connally	Hughes	Radcliffe	Wiley

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from New Jersey [Mr. SMATHERS] are absent from the Senate because of illness.

The Senator from Nebraska [Mr. BURKE], the Senator from Arkansas [Mr. MILLER], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Illinois [Mr. SLATTERY] are detained on important public business.

The Senator from Nevada [Mr. PITTMAN] is absent on official business.

The Senator from Maryland [Mr. TYDINGS] and the Senator from New York [Mr. WAGNER] are unavoidably detained.

Mr. McNARY. I announce that my colleague [Mr. HOLMAN] is necessarily absent.

Mr. AUSTIN. I announce that the Senator from Minnesota [Mr. SHIPSTEAD] is unavoidably detained from the Senate.

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present.

REPORT ON THE NATCHEZ TRACE (S. DOC. NO. 148)

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting, in response to Senate Resolution 222 (submitted by Mr. Bilbo and agreed to February 1, 1940), a report of a survey of the old Indian trail, known as the Natchez Trace, made pursuant to an act approved May 21, 1934, with a view to constructing a national road on this route to be known as the Natchez Trace Parkway, which, with the accompanying report, was referred to the Committee on Public Lands and Surveys, and ordered to be printed, with illustrations.

PUBLIC LANDS IN ALASKA

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting a draft of proposed legislation to promote the development of the Territory of Alaska and to authorize the Secretary of the Interior

to lease public lands in Alaska, which, with the accompanying paper, was referred to the Committee on Public Lands and Surveys.

MONTHLY REPORT OF RECONSTRUCTION FINANCE CORPORATION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Reconstruction Finance Corporation, transmitting, pursuant to law, a report of the activities and expenditures of the Corporation for the month of January 1940, which, with the accompanying papers, was referred to the Committee on Banking and Currency.

PERSHING HALL, PARIS, FRANCE—FINANCIAL STATEMENTS

The VICE PRESIDENT laid before the Senate two letters from the director of the national legislative committee, American Legion, Washington, D. C., transmitting, pursuant to law, itemized statements of receipts and expenditures of the Pershing Hall fund from January 1, 1939, to December 19, 1939, and for the calendar year 1939, which, with the accompanying papers, were referred to the Committee on Military Affairs.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution adopted by the twenty-first annual convention of the Idaho Department, American Legion, at Twin Falls, Idaho, favoring an appropriation for the establishment of an additional domiciliary and intermediary unit of 300 or more beds at the veterans' facility located in Boise, Idaho, which was referred to the Committee on Appropriations.

He also laid before the Senate a resolution adopted by the second annual convention of the National Cotton Council at New Orleans, La., favoring enactment of the joint resolution (H. J. Res. 407) to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, which was referred to the Committee on Finance.

He also laid before the Senate a resolution adopted by the Yavapai County Council, Arizona Small Mine Operators' Association, at Prescott, Ariz., favoring the appointment of a director of the Bureau of Mines whose professional attainments and personal integrity will insure the continued support and respect of the mining profession, which was referred to the Committee on Mines and Mining.

He also laid before the Senate a resolution adopted by the Yavapai County Council, Arizona Small Mine Operators' Association, at Prescott, Ariz., protesting against the proposed transfer of the Forest Service from the Department of Agriculture to the Department of the Interior, which was referred to the Select Committee on Government Organization.

He also laid before the Senate a telegram in the nature of a petition from Alex Murrell, of Craycraft, Ky., praying for the recall of the American Ambassador Extraordinary and Plenipotentiary to the Union of Soviet Socialist Republics, which was ordered to lie on the table.

Mr. CAPPER presented a petition of sundry citizens of Beloit, Kans., praying for the enactment of the bill (S. 517) to amend the Communications Act of 1934 to prohibit the advertising of alcoholic beverages by radio, which was ordered to lie on the table.

Mr. WILEY presented a petition of sundry citizens, being municipal employees of the city of Stevens Point, Wis., praying for the enactment of legislation to include all city employees under the operation of the Social Security Act, which was referred to the Committee on Finance.

Mr. HOLT presented a resolution adopted at Elkins by officers and members of American Legion posts, Department of West Virginia, of Morgantown, Mannington, Fairmont, Kingwood, Grafton, Philippi, Pickens, Elkins, Parsons, Davis, Keyser, Piedmont, Romney, Moorefield, Franklin, Petersburg, Berkeley Springs, Martinsburg, and Charles Town, all in the State of West Virginia, favoring the enactment of the bill (S. 3060) to authorize the acquisition of land for cemetery purposes in the vicinity of Grafton, W. Va., which was referred to the Committee on Military Affairs.

Mr. GIBSON. Mr. President, I have before me and now present for printing in the RECORD a petition signed by employees of the Middlebury, Vt., post office, asking consider-

ation for Senate bill 487, which provides a system of longevity pay for postal employees as a reward for continuous service up to, but not extending beyond, the thirtieth year of employment.

There being no objection, the petition was referred to the Committee on Post Offices and Post Roads, and the body thereof was ordered to be printed in the RECORD, as follows:

MIDDLEBURY, Vt., February 20, 1940.

Senator ERNEST W. GIBSON,

Washington, D. C.

MY DEAR MR. GIBSON: We, the employees of the Middlebury, Vt., post office, are very much in favor of the longevity bills, S. 487 by Mr. MEAD and H. R. 3649 by Mr. FLANNERY. A number of us have had from 20 to 30 years of service and feel that there should be some reward for length of service.

Yours very truly,

Mr. JOHNSON of California presented the following joint resolution of the Legislature of California, which was referred to the Committee on Irrigation and Reclamation:

Senate Joint Resolution 4

Relative to memorializing Congress to take action in respect to the existing emergency in the Tululake district

Whereas the continued rising of the waters in the Tululake sump has broken dikes and flooded thousands of acres of valuable land in the Tululake district of the Klamath reclamation project; and

Whereas a permanent menace exists on account of the continued rising of these waters which threatens a rich agricultural area producing millions of dollars' worth of agricultural products; and

Whereas it appears that this menace can be averted and this condition remedied by the construction of a tunnel, and that a self-liquidating project has been devised for the construction of such tunnel; and

Whereas it appears that said project has been approved by the Federal agencies having jurisdiction over the matter, and that the expenditure of an estimated \$974,773 would construct the necessary works to drain the area involved, rectify the present condition, and remove a continuing menace to a valuable agricultural area: Now, therefore, be it

Resolved by the Senate and the Assembly of the State of California jointly, That the Congress of the United States is hereby respectfully urged to enact such legislation as may be necessary to provide for the construction of all necessary drainage and flood-control works in the Tululake district of the Klamath reclamation project and to make available funds for the construction of said tunnel project; and be it further

Resolved, That copies of this resolution be forwarded by the secretary of the senate to each Senator and Representative in Congress of the United States from California.

Mr. JOHNSON of California also presented the following joint resolution of the Legislature of California, which was referred to the Committee on Commerce:

Assembly Joint Resolution 9

Relative to discrimination in steamship service and freight rates between New York and California ports to the Panama Canal Zone

Whereas Congress has authorized the construction of additional locks at the Panama Canal at an eventual total cost of approximately \$277,000,000, as well as an additional expenditure of approximately \$35,000,000 for the construction of barrages, airports, etc.; and

Whereas large quantities of foodstuffs, materials, and supplies are imported annually into the Republic of Panama amounting in the year 1937 to \$21,828,000, of which imports from the United States amounted to \$11,377,000 principally from the Atlantic seaboard; and

Whereas materials and supplies will be imported into the Panama Canal Zone in large quantities as additional protection for national defense by the United States Government and for the Republic of Panama, including alfalfa, groceries, cold-storage products, drygoods, dairy products, raw materials, housewares, candies and tobacco, milk and cream, shoes, cattle and hogs, soaps, meats, lard, vegetables, lumber, petroleum products, cement, iron and steel, automobiles, chemicals, medicines, reinforced concrete frames and floor slabs, hollow tile filler walls, stucco exterior, tile and composition roofing, miscellaneous iron and steel, hollow metal work, metal lath and plaster, steel shelving, automatic refrigeration systems, waterproofing, cold-storage rooms, slate toilet partitions, glazed tile wainscoting, ceramic, cement and other quarry products, tile floors, paint, plumbing, electric fixtures, and various other types of materials and supplies grown, produced, and manufactured on the Pacific coast; and

Whereas the United States Government owns and operates the Panama Railroad Steamship Co., which is operated under the direction of the President of the United States and the War Department, which operates steamship service between New York and the Panama Canal Zone, and railway service between Atlantic and Pacific ports of the Canal Zone; and

Whereas freight rates upon said Government-owned line between the Atlantic seaboard and the Panama Canal Zone are materially less than freight rates on private lines operated between Pacific

coast ports and the Canal Zone, in some cases being as much as 50 percent less; and

Whereas if similar service and the same freight-rate basis were provided by the United States Government between Pacific coast ports and the Panama Canal Zone, California growers, producers, and manufacturers of supplies and materials to be used in said construction work, including the necessities of life, to be imported into the Republic of Panama as hereinabove set forth, would be in a position to compete with growers, producers, and manufacturers on the Atlantic seaboard; and

Whereas due to the withdrawal of ships under the jurisdiction of the United States Maritime Commission from export trade due to the war, there are now numerous vessels available for this service; and

Whereas private steamship lines operating between the Pacific coast ports and the Panama Canal Zone will not meet the New York-Panama rates of the Government-owned Panama Railroad Steamship Co., resulting in a practical monopoly in favor of shippers from the Atlantic seaboard to said Panama Canal Zone: Now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the President of the United States, the Congress and the Secretary of War are hereby respectfully requested to take such action as will be necessary to provide similar steamship service between Pacific coast ports and the Panama Canal Zone and at the same freight-rate basis in order that Pacific coast growers, producers, and manufacturers may be enabled to compete with growers, producers, and manufacturers on the Atlantic seaboard in supplying agricultural and manufactured materials and supplies to the Panama Canal Zone; and be it further

Resolved, That copies of this resolution be transmitted by the Governor of the State of California to the President and Vice President of the United States, to the Speaker of the House, to the Secretary of War, and to each Senator and Representative from California in the Congress of the United States.

Mr. JOHNSON of California also presented the following joint resolution of the Legislature of California, which was referred to the Committee on Agriculture and Forestry:

Assembly Joint Resolution 14

Relative to the continuance of Japanese beetle suppression under Federal auspices

Whereas a hearing has been called by the United States Bureau of Entomology and Plant Quarantine for February 27, at Washington, D. C., to consider whether or not that Federal agency shall continue to enforce regulatory measures to prevent the spread of the Japanese beetle within the United States, said agency having capably and effectively carried on this function for many years; and

Whereas the abandonment of enforcement of quarantine against the Japanese beetle by this Federal agency will cause such enforcement work to be assumed by the several States, thereby encouraging the development of 48 different kinds of quarantine measures, and will require greatly increased costs for the same objective; and

Whereas the Federal authorities have complete machinery already established and are in better position to conduct necessary investigational and research work relative to control and nursery inspection and certification techniques; and

Whereas the fullest protection to be afforded the agricultural industry against the rapid spread of one of the world's most serious fruit, crop, and garden pests appears best to be accomplished by an experienced and trained Federal agency: Now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California does hereby urge that there be no abandonment of quarantine enforcement, nursery certification, control methods, research, or procedures directed to Japanese beetle suppression by the Federal Government, and that the present Federal agency be requested to continue the effective work now in progress; and be it further

Resolved, That Congress be requested to make adequate financial provision for Japanese beetle suppression; and be it further

Resolved, That a copy of this resolution be forwarded, by the secretary of state, to the United States Secretary of Agriculture, the Chief of the United States Bureau of Entomology and Plant Quarantine, and the Senators and Congressional Representatives for California.

INTRODUCTION OF A BILL—PETITION OF THE NATCHEZ TRACE ASSOCIATION

Mr. BILBO. Mr. President, I ask unanimous consent to introduce a bill for appropriate reference.

The VICE PRESIDENT. Without objection, the bill will be received at this time. The rules of the Senate provide that, in their order, petitions and memorials, committee reports, and bills and joint resolutions shall be received; so the Chair is compelled to ask unanimous consent that the Senator be permitted at this time to introduce his bill for proper reference. Is there objection?

Mr. McNARY. Mr. President, I was much in accord with the announcement made by the able leader on the Democratic side a few days ago that unanimous consent would be withheld in the matter of making speeches upon the introduction of bills. If that is the purpose of the able Senator from

Mississippi [Mr. BILBO], I shall have to object. A little later, I will say to the Senator, when the routine morning business shall have been concluded and we reach the unfinished business, he may have as much time as he pleases.

The VICE PRESIDENT. Objection is heard, and therefore the bill cannot be introduced at this time.

Mr. McNARY. No, Mr. President; I have no objection to the introduction of the bill. What I want to prevent is taking unnecessary time in making a speech in support of a bill which is introduced; that is all. If it is the mere introduction of a bill, I have no objection.

[There being no objection, Mr. BILBO introduced Senate bill 3436, which was referred to the Committee on Claims and appears under the appropriate heading "Bills and joint resolutions introduced."]

Mr. BILBO. In addition to introducing the bill, I ask permission to present a resolution, in the nature of a petition to the Congress, passed by the Natchez Trace Association of Mississippi at a convention held in January 1940. I ask unanimous consent that the petition be printed in the RECORD as a part of my remarks.

There being no objection, the resolution or petition was ordered to be printed in the RECORD, as follows:

Resolution

This resolution made, seconded, and passed by the Natchez Trace Association of Mississippi, this 24th day of January A. D. 1940.

Whereas under date of November 30, 1939, an unobligated balance of \$1,660,884.85 of Federal funds was available for construction of the Natchez Trace Parkway in Mississippi, and because of these unobligated funds, the Director of the Budget has recommended to the United States Congress that only \$2,000,000 be appropriated for parkway construction for the fiscal year 1941 and that the sum of \$700,000 be allocated from this appropriation for use in connection with the Natchez Trace Parkway (Mississippi's share being \$483,776); and

Whereas since the date of the Budget's recommendation the State of Mississippi has conveyed to the United States Government 50.48 miles of Natchez Trace rights-of-way for which approved contract plans call for an immediate expenditure of about \$2,000,000, which is approximately \$339,115.15 more than the funds which are available; that, in addition to the rights-of-way recently conveyed, the State of Mississippi is prepared to acquire and convey to the Federal Government approximately 35 more miles of Natchez Trace rights-of-way by June 1, 1940, and the United States National Park Service, in connection with the Public Roads Administration, can immediately obligate an additional \$1,400,000 of Federal funds for grading and drainage work; that, as during the year of 1939, the Federal and State agencies in charge of the Natchez Trace Parkway have completed the mapping and surveying of the major part of the trace route through the State, if sufficient funds are made available by the United States Congress, the future of the parkway can progress very rapidly; and

Whereas the financial situation for Mississippi's part is as follows:

Balance, Nov. 30, 1939.....	\$1,660,885
Grading lettings Dec. 29 on "L" and Jan. 5 on "M2".....	803,385
	<hr/>
	852,500
Bridge lettings Jan. 25 on "W".....	167,545
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	684,955
Grading lettings Feb. 15 on "D" estimated.....	350,000
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	334,955
Grading letting about March on "N" estimated.....	350,000
	<hr/>
	-15,045

"J" ready for grading in April, \$430,000, grading money needed during 1941 fiscal year for "D2," "H," and "M2" bridges on "D," "K," "L," and "N," stabilization to protect expensive subgrade and base for future permanent paving on "M," "L," and "K"; and

Whereas a finished roadway with no major intersections and infrequent minor intersections from Nashville, Tenn., to Natchez, Miss. (where a bridge across the Mississippi River is almost completed) would be of great military value in event of war; and

Whereas in certain sections of the State through which the parkway traverses local residents have suffered from crop failures caused by both drought and flood and the winter months have brought on unusually severe snows and freezes, causing death and disease to cattle and other livestock, and there exists in these localities a very serious unemployment situation; that the continuance of Natchez Trace developments will provide immediate jobs and work for these people who are in dire need of temporary relief.

Now, therefore, the Natchez Trace Association of Mississippi hereby petitions and recommends to the United States Congress that an appropriation of \$5,000,000 be made for the development of the Natchez Trace Parkway for the fiscal year of 1941.

ROANE FLEMING BYRNES,
President, Natchez Trace Association of Mississippi.

REPORT OF COMMITTEE ON APPROPRIATIONS DURING ADJOURNMENT

Under authority of the order of the 22d instant, Mr. McKELLAR, from the Committee on Appropriations, to which was referred the bill (H. R. 8319) making appropriations for the Departments of State, Commerce, and Justice, and for the judiciary, for the fiscal year ending June 30, 1941, and for other purposes, reported it on February 24, 1940, with amendments, and submitted a report (No. 1235) thereon.

REPORTS OF COMMITTEES

Mr. HATCH, from the Committee on Privileges and Elections, to which was referred the bill (S. 3046) to extend to certain officers and employees in the several States and the District of Columbia the provisions of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939, reported it with amendments and submitted a report (No. 1236) thereon.

Mr. BROWN, from the Committee on Claims, to which was referred the bill (S. 3062) for the relief of the Rodgers Tile Co., reported it with an amendment and submitted a report (No. 1237) thereon.

He also, from the same committee, to which was referred the bill (S. 2994) for the relief of Joseph Soulek, reported it with amendments and submitted a report (No. 1238) thereon.

Mr. THOMAS of Utah, from the Committee on Military Affairs, to which was referred the bill (S. 456) for the relief of the officers of the Russian Railway Service Corps organized by the War Department under authority of the President of the United States for service during the war with Germany, reported it without amendment and submitted a report (No. 1239) thereon.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent the second time, and referred as follows:

By Mr. JOHNSON of California:

S. 3427. A bill for the relief of Raymond J. Miller; to the Committee on Claims.

By Mr. THOMAS of Idaho:

S. 3428. A bill to authorize the Secretary of the Interior to cooperate with the tribal council of the Coeur d'Alene Tribe of Indians in the construction of a church for the use of the Indians of such tribe (with an accompanying paper); to the Committee on Indian Affairs.

Mr. HATCH. Mr. President, I send to the desk, for appropriate reference, a bill introduced in behalf of the Senator from Texas [Mr. SHEPPARD] and myself.

I call attention to the fact that, so far as I am concerned, at least, this bill is introduced at the request of certain constituents of mine, who asked that the measure be presented to the Senate in order that hearings may be had on the bill. I in no sense act as a sponsor of the measure.

By Mr. SHEPPARD (for himself and Mr. HATCH):

S. 3429 (by request). A bill to safeguard investments of Federal funds in water utilization and control works within water courses in certain Western States, and to prevent interference with successful operations of interstate stream compacts, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. FRAZIER:

S. 3430. A bill to provide a method by which certain restricted Indian allotments in which several Indian heirs have undivided interests may be acquired by individual Indians; to the Committee on Indian Affairs.

By Mrs. CARAWAY:

S. 3431. A bill for the relief of W. H. Dunblazier; and
S. 3432. A bill for the relief of A. K. Shaw; to the Committee on Claims.

S. 3433. A bill granting a pension to Eliza Wheeler; to the Committee on Pensions.

By Mr. THOMAS of Oklahoma:

S. 3434. A bill granting a pension to James H. Abbott (with accompanying papers); to the Committee on Pensions.

By Mr. REYNOLDS:

S. 3435. A bill to provide for domiciliary care and medical and hospital treatment for former members of the military and naval services who are suffering with tuberculosis; to the Committee on Finance.

By Mr. BILBO:

S. 3436. A bill for the relief of Ethel G. Hamilton; to the Committee on Claims.

By Mr. WALSH:

S. 3437. A bill for the relief of the Franco-American Construction Co.; to the Committee on Claims.

S. 3438. A bill for the relief of Harold C. Preble, naval architect; and

S. 3439. A bill providing for the rank of commanders of special naval units afloat; to the Committee on Naval Affairs.

By Mr. WHEELER:

S. 3440. A bill to amend the Locomotive Inspection Act of February 17, 1911, as amended, so as to change the title of the chief inspector and assistant chief inspectors of locomotive boilers; to the Committee on Interstate Commerce.

By Mr. BROWN:

S. 3441. A bill authorizing the naturalization of Ilhan New; and

S. 3442. A bill to authorize the cancelation of deportation proceedings in the case of Minas Kirillidis; to the Committee on Immigration.

By Mr. NEELY:

S. 3443. A bill for the relief of William A. Wheeler; to the Committee on Claims.

S. 3444. A bill for the relief of John S. Long; to the Committee on Finance.

S. 3445. A bill to authorize the Postmaster General to permit officers and employees in the Postal Service to make allotments of pay for certain purposes; to the Committee on Post Offices and Post Roads.

By Mr. MEAD:

S. 3446. A bill to establish the policy of the Government of the United States with reference to the provision of forages, subsistence crops, and roughages from available surpluses for ranch, farm, and dairy animals in emergency areas of the United States; to the Committee on Agriculture and Forestry.

S. 3447. A bill to amend the Home Owners' Loan Act by reducing the rate of interest on obligations of home owners, by abolishing certain deficiency judgments, and by providing a moratorium on foreclosures; to the Committee on Banking and Currency.

S. 3448. A bill to amend section 2111 (a) (1) of the Internal Revenue Code; to the Committee on Finance.

By Mr. SHEPPARD:

S. 3449. A bill granting a pension to Harry B. Likens; to the Committee on Pensions.

S. 3450. A bill to amend the act entitled "An act to give wartime commissioned rank to retired warrant officers and enlisted men," approved May 7, 1932; to the Committee on Military Affairs.

By Mr. BYRD:

S. 3451. A bill for the relief of the heirs of William H. Peters and Washington Reed; to the Committee on Claims.

S. 3452. A bill for the relief of Samuel Irick; to the Committee on Finance.

By Mr. MINTON:

S. 3453. A bill for the relief of Lawrence Frederick Denny (with accompanying papers); to the Committee on Naval Affairs.

S. 3454. A bill granting a pension to Thomas Williams, Jr. (with accompanying papers); to the Committee on Pensions.

(Mr. DAVIS introduced Senate Joint Resolution 214, which was referred to the Committee on the Library, and appears under a separate heading.)

By Mr. BYRD:

S. J. Res. 215. Joint resolution to establish a Commission for the Celebration of the Two Hundredth Anniversary of the Birth of Thomas Jefferson; to the Committee on the Library.

TWO HUNDREDTH ANNIVERSARY OF UNIVERSITY OF PENNSYLVANIA

Mr. DAVIS. Mr. President, I introduce, for appropriate reference, a joint resolution, the purpose of which is to authorize the establishment of a United States University of Pennsylvania Bicentennial Commission providing for the representation of the Government and people of the United States in the recognition of the two hundredth anniversary of the founding of the University of Pennsylvania by Benjamin Franklin, and the beginning of university education in the United States.

Mr. President, I hope this resolution will receive favorable consideration. It is a tribute to an outstanding institution of learning in the United States and a leader in many fields of endeavor. Among the total enrollment of over 17,000 in all its schools are young men from all parts of the world and from all sections of the United States. Its Wharton School of Finance and Commerce is the accepted leading undergraduate school of finance and commerce in the world. Through its doors have come prominent citizens who have contributed greatly to the fields of business, government, liberal arts, law, medicine, and other sciences. It has ever been loyal to the standards and principles of its founder, Benjamin Franklin. The people of Pennsylvania and of the United States want to reaffirm once again, on this two hundredth anniversary, their allegiance to the sound principles of Franklin, and to build on them an even richer heritage for the future.

I ask unanimous consent that the joint resolution and a letter from President Thomas S. Gates, of the University of Pennsylvania, be printed in the RECORD as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The joint resolution (S. J. Res. 214) authorizing the recognition of the two hundredth anniversary of the founding of the University of Pennsylvania by Benjamin Franklin and the beginning of university education in the United States, and providing for the representation of the Government and the people of the United States in the observance of the anniversary was read twice by its title, referred to the Committee on the Library, and ordered to be printed in the RECORD, as follows:

Senate Joint Resolution 214

Joint resolution authorizing the recognition of the two hundredth anniversary of the founding of the University of Pennsylvania by Benjamin Franklin and the beginning of university education in the United States, and providing for the representation of the Government and people of the United States in the observance of the anniversary

Whereas there are to be held at Philadelphia, Pa., and at other places during the year 1940, celebrations commemorating the two hundredth anniversary of the founding of the University of Pennsylvania by Benjamin Franklin, said institution being the first university to be established in what are now the United States; and

Whereas in accordance with resolutions of the president and fellows of the University of Pennsylvania, there will take place in Philadelphia, Pa., on the 16th, 17th, 18th, 19th, 20th, and 21st of September 1940 formal ceremonies of celebration of the bicentennial, in the presence of the governing boards, faculties, students, and alumni of the university, the delegates of other institutions, distinguished guests, and a large number of friends and benefactors; and

Whereas the Commonwealth of Pennsylvania and the city of Philadelphia will be officially represented at the ceremonies; and

Whereas the University of Pennsylvania endeavors to foster and maintain the ideals of truth and freedom so dear to Americans: Therefore, be it

Resolved, That the Government and people of the United States unite with the University of Pennsylvania in a fitting and appropriate observance of the two hundredth anniversary of its founding, which marked the formal beginning of university education in the United States (Harvard, William and Mary, and Yale were founded before the University of Pennsylvania, but they were not universities until after the University of Pennsylvania became a university).

SEC. 2. There is hereby established a Commission to be known as the United States University of Pennsylvania Bicentennial Commission (hereinafter referred to as the Commission) to be composed of 15 commissioners, as follows: The President of the United States and 4 persons to be appointed by him, the President of the Senate and 4 Members of the Senate to be appointed by said President of the Senate, and the Speaker of the House of Representatives and 4 Members of the House to be appointed by said Speaker.

SEC. 3. The Commission, on behalf of the United States, shall cooperate with representatives of the University of Pennsylvania, the Commonwealth of Pennsylvania, and the city of Philadelphia in the appropriate observance of such anniversary, and shall extend appropriate courtesies to the delegates of foreign universities and other foreign learned bodies or individuals attending the celebration as guests of the University of Pennsylvania.

SEC. 4. The members of the Commission shall serve without compensation and shall select a Chairman from among their number, but the President of the United States shall be designated the "Honorary Chairman" of the Commission.

SEC. 5. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000 to be expended by the Commission for expenses, including actual and necessary traveling and subsistence expenses, incurred while discharging its functions under this resolution. The Commission shall have power to select, hire, and fix the compensation of such officers and employees as shall be necessary for the performance of its duties without regard to the provisions of other laws applicable to employment or compensation of officers or employees of the United States.

SEC. 6. Any vacancies occurring in the membership of the Commission shall be filled by the President of the United States.

The letter presented by Mr. DAVIS is as follows:

UNIVERSITY OF PENNSYLVANIA,
Philadelphia, February 22, 1940.

The Honorable JAMES J. DAVIS,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: As you undoubtedly know, the University of Pennsylvania is celebrating its two hundredth anniversary this year. The celebration began on the occasion of Benjamin Franklin's birthday, January 17, when we had as our guests His Excellency the French Ambassador, M. Rene Doynel de Saint-Quentin, Justice Owen J. Roberts, and ex-Senator George Wharton Pepper.

The main celebration will take place during the week of September 16, and the concluding ceremonies will be held on Friday, September 20, and Saturday, September 21. During this week symposia, meetings, convocations, etc., will be held, and the university will be hosts to a distinguished gathering of college presidents and leaders in the educational and scientific world.

The purpose of this letter is to ask if you will give favorable consideration to the introduction of a bill into the present session of the Congress providing for the appointment of a United States University of Pennsylvania Bicentennial Commission.

On the occasion of the Harvard Tercentenary a commission was appointed to represent the Government at the tercentenary celebration, and it consisted of President Franklin D. Roosevelt as honorary chairman and four gentlemen appointed by the President. These were Maj. Gen. Dennis E. Nolan, United States Army, retired, War Department; Admiral William H. Standley, Chief of Naval Operations, Navy Department; Dr. Frank P. Graham, president of the University of North Carolina; Dr. Robert G. Sproul, president of the University of California.

Of the Senate were appointed Hon. John N. Garner, Vice President; Hon. Marcus A. Coolidge; Hon. Robert J. Bulkley; Hon. Frederick Hale; Hon. Henry W. Keyes.

Of the House were appointed Hon. William B. Bankhead, Speaker; Hon. John J. O'Connor; Hon. Richard M. Russell; Hon. Richard B. Wigglesworth; Hon. Robert L. Bacon.

For your information I am attaching herewith a copy of the resolution which the Congress of the United States adopted in connection with the Harvard Tercentenary.

It should be pointed out, I believe, that the University of Pennsylvania was the first university in the United States. Harvard, William and Mary, and Yale were founded before the University of Pennsylvania, but they were not universities until after the University of Pennsylvania became a university.

We are, of course, asking the Pennsylvania State Legislature to adopt resolutions calling for commissions to represent the State of Pennsylvania at our bicentennial celebration, and the city of Philadelphia will also appoint a commission.

We are very hopeful that the Congress of the United States will take favorable action, and we are asking you as senior Senator from the State of Pennsylvania to be kind enough to sponsor the introduction of such a resolution before the Senate.

A resolution to be presented before the House is being prepared under the supervision of the Honorable CHARLES A. WOLVERTON. It will be a joint resolution presented by all the graduates of the University of Pennsylvania who are serving in the House. These gentlemen, in addition to Representative WOLVERTON, are J. PARNELL THOMAS, LEON SACKS, ALBERT G. RUTHERFORD, PIUS L. SCHWERT, and JOHN E. SHERRIDAN.

Your interest in our behalf will be greatly appreciated, I assure you.

Cordially yours,

THOMAS S. GATES, President.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred, or ordered to be placed on the calendar, as indicated below:

H. R. 3138. An act authorizing J. E. Pate, his successors and assigns, to construct, maintain, and operate a bridge or ferry across the Rio Grande at Boca Chica, Tex.;

H. R. 7339. An act to exempt sail vessels from the provisions of section 13 of the act of March 4, 1915, as amended, requiring the manning of certain merchant vessels by able seamen, and for other purposes; and

H. R. 7420. An act to amend laws for preventing collisions of vessels; to the Committee on Commerce.

H. R. 4776. An act to amend section 6 of the Organic Act of Alaska; and

H. R. 7612. An act for the transfer of funds to the town of Wrangell, Alaska; to the Committee on Territories and Insular Affairs.

H. R. 5784. An act to provide for the conservation and transfer of accumulated sick leave and vacation time due classified civil-service employees who succeed to the position of postmaster, and for other purposes; to the Committee on Civil Service.

H. R. 7018. An act to amend section 289 of the Criminal Code;

H. R. 7019. An act to amend section 1 of the act providing punishment for the killing or assaulting of Federal officers; and

H. R. 7020. An act to amend section 2 of the act of March 4, 1931 (46 Stat. 1528), in regard to service of process on the United States in foreclosure actions; to the Committee on the Judiciary.

H. R. 7135. An act to authorize the leasing of the undeveloped coal and asphalt deposits of the Choctaw and Chickasaw Nations in Oklahoma; to the Committee on Indian Affairs.

H. R. 7147. An act to amend the service pension acts pertaining to the War with Spain, Philippine Insurrection, and the China Relief Expedition to include certain continuous service; to the Committee on Pensions.

H. R. 7863. An act to amend section 602 (e) of the Communications Act of 1934, as amended, relating to a study of radio requirements for ships navigating the Great Lakes and inland waters of the United States; to the Committee on Interstate Commerce.

H. R. 8083. An act to authorize the Secretary of War to furnish certain markers for certain graves; to the Committee on Military Affairs.

H. R. 8151. An act to provide travel expenses of civilian officers and employees upon official change of station; and

H. R. 8307. An act to change the date of transmission to Congress of the Budget of the United States in years in which a new President takes office; to the Committee on Appropriations.

H. J. Res. 219. Joint resolution to provide for the erection of a monument to the memory of the patriot priest, Father Pierre Gibault; and

H. J. Res. 385. Joint resolution establishing a Greenville Memorial Commission to formulate plans for the construction of a memorial building to commemorate the Treaty of Greenville at Greenville, Ohio; to the Committee on the Library.

H. J. Res. 407. Joint resolution to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended; to the Committee on Finance.

H. J. Res. 424. Joint resolution to authorize the United States Maritime Commission to acquire certain lands at St. Petersburg, Fla.; to the calendar.

PROHIBITION OF ADVERTISEMENT OF ALCOHOLIC BEVERAGES BY RADIO—AMENDMENT

Mr. JOHNSON of Colorado submitted an amendment in the nature of a substitute intended to be proposed by him to the bill (S. 517) to amend the Communications Act of 1934 to prohibit the advertising of alcoholic beverages by radio, which was ordered to lie on the table and to be printed.

DRAFTING MONEY FOR USE IN WAR—AMENDMENTS

Mr. LEE submitted amendments intended to be proposed by him to the bill (S. 1650) to promote peace and the national defense through a more equal distribution of the burdens of war by drafting the use of money according to ability to lend to the Government, which were ordered to lie on the table and to be printed.

AMENDMENT OF SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT—AMENDMENT

Mr. LEE submitted an amendment intended to be proposed by him to the bill (H. R. 3800) to amend section 8 (e) of the Soil Conservation and Domestic Allotment Act, as amended, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

TRANSFER OF AMERICAN VESSELS TO BELGIAN REGISTRY

Mr. CLARK of Missouri submitted the following resolution (S. Res. 239), which was referred to the Committee on Commerce:

Resolved, That the United States Maritime Commission is requested to transmit to the Senate as soon as practicable the following information in connection with the transfer of vessels owned by the United States Lines to Belgian registry: (a) The date of construction of such vessels and the cost thereof; (b) the date they were purchased by the United States Lines or any predecessor in interest, and the price paid therefor; (c) the amount of mail pay received for the operation of such vessels by the United States Lines or any predecessor in interest; (d) a complete recitation of the financial transactions involved in the transfer of the vessels (including the amount of any mortgage taken by the United States Lines on any such vessel and the amount of stock owned by said United States Lines or any affiliated company, or any stockholder or director of said United States Lines, if any, in the Belgian company to which such transfer was made or in any successor in interest of such company); (e) a recitation of the facts, showing what control or interest is held by any American citizen in the Belgian company to which such transfer was made or in any successor in interest of such company; and (f) in general, all the information which would go to the bona fides of the transaction.

AMENDMENT OF BONNEVILLE PROJECT ACT—CONFERENCE REPORT

Mr. BAILEY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7270) to amend the Bonneville Project Act, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows: In lieu of the matter contained in the Senate amendment, insert the following:

"That section 2 (a) of chapter 720 of the Acts of the Seventy-fifth Congress, first session (50 Stat. 731, 732), is hereby amended by inserting after the second sentence ending 'in the vicinity of the Bonneville project,' the following sentence: 'The Secretary of the Interior shall also appoint, without regard to the civil-service laws, an Assistant Administrator, chief engineer, and general counsel and shall fix the compensation of each at not exceeding \$7,500 per annum. The Assistant Administrator shall perform the duties and exercise the powers of the Administrator, in the event of the absence or sickness of the Administrator until such absence or sickness shall cease, and, in the event of a vacancy in the office of Administrator until a successor is appointed.'

"Sec. 2. Section 2 (a) of said Act is hereby further amended by adding at the end of said section the following:

"The office of the Administrator of the Bonneville project is hereby constituted an office in the Department of the Interior and shall be under the jurisdiction and control of the Secretary of the Interior. All functions vested in the Administrator of the Bonneville project under this Act may be exercised by the Secretary of the Interior and, subject to his supervision and direction, by the Administrator and other personnel of the project."

"Sec. 3. Section 4 (b) of the said chapter is hereby amended by striking out the words and figures 'January 1, 1941' wherever they occur therein and by substituting in lieu thereof the words and figures 'January 1, 1942'."

And the Senate agree to the same.

JOSEPH W. BAILEY,
MORRIS SHEPPARD,
Managers on the part of the Senate.

J. J. MANSFIELD,
JOSEPH A. GAVAGAN,
RENÉ L. DEROUEN,
GEORGE N. SEGER,
ALBERT E. CARTER,
Managers on the part of the House.

The report was agreed to.

ADDRESS BY SENATOR CAPPER ON RECIPROCAL-TRADE AGREEMENTS

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a radio address on the subject of reciprocal-trade agreements, delivered by him over the University of Chicago Round Table on February 18, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR CHAVEZ ON TOLERANCE AND PEACE

[Mr. MEAD asked and obtained leave to have printed in the RECORD an address on Tolerance and Peace delivered by Senator Chavez before the B'Nai B'Rith George Washington Day celebration, at New York City, February 25, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR SLATTERY AT DEDICATION OF NEW SALEM POST OFFICE

[Mr. LUCAS asked and obtained leave to have printed in the RECORD an address delivered by Senator Slattery on February 12, 1940, at the dedication of the post office at New Salem, Ill., which appears in the Appendix.]

FACTUAL RECORD OF CENSUS INQUIRIES

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a factual record of census inquiries for 150 years and acts of Congress governing compulsion and fixing of penalties, which appears in the Appendix.]

WAR EXPORTS

[Mr. GIBSON asked and obtained leave to have printed in the RECORD an editorial on war exports published in the New York Times of February 18, 1940, which appears in the Appendix.]

REPORT OF INDIANA BAR ASSOCIATION ON WALTER-LOGAN BILL

[Mr. VAN NUYS asked and obtained leave to have printed in the RECORD a summary of the report of the committee on administrative law of the Indiana State Bar Association, adopted at the annual meeting of that association in August 1939, which appears in the Appendix.]

MR. JUSTICE BLACK

[Mr. NORRIS asked and obtained leave to have printed in the RECORD an editorial from Labor of the issue of February 20, 1940, entitled "Now They Are Praising Hugo Black" and an article by Ernest Lindley in the Washington Post of February 18, 1940, entitled "Black's Decisions Defend Minorities," which appear in the Appendix.]

THE CENSUS OF 1940

[Mr. TOBEY asked and obtained leave to have printed in the RECORD two articles written by Arthur Krock with reference to the census of 1940, which appear in the Appendix.]

MEXICO AND SILVER LEGISLATION

[Mr. McNARY (for Mr. TOWNSEND) asked and obtained leave to have printed in the RECORD a statement issued by Senator TOWNSEND under the heading "Mexico and Our Silver Legislation," and also an article from the New York Times under the heading "Soviet Ship Loading Metals in Mexico," and an article from the Washington Times-Herald under the heading "United States Is No. 1 Source of 'Red' War Supplies;" which appear in the Appendix.]

GOLD AND SILVER INFLATION

[Mr. TOWNSEND asked and obtained leave to have printed in the RECORD an article published in the New York Times referring to a letter of Hon. Marriner S. Eccles, concerning the Government's powers to inflate the currency; which appears in the Appendix.]

OUR CROSS OF SILVER

[Mr. TOWNSEND asked and obtained leave to have printed in the RECORD an editorial entitled "Our Cross of Silver," published in the New York World-Telegram and the Washington Daily News, on February 22 and February 23; which appears in the Appendix.]

DEMONETIZATION OF SILVER BY GREECE

[Mr. TOWNSEND asked and obtained leave to have printed in the RECORD an extract from the report of the American commercial attaché at Athens, Greece, as to a decree issued by the Government of Greece relative to the withdrawal from circulation of silver coins; which appears in the Appendix.]

BERMUDA AND THE AMERICAN MAILS

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial entitled "Bermuda and the American Mails," published in the Chicago Tribune of February 23, 1940; which appears in the Appendix.]

ADDRESS BY HON. R. H. HINCKLEY ON THE AVIATION INDUSTRY

[Mr. BAILEY asked and obtained leave to have printed in the RECORD a speech delivered by Hon. Robert H. Hinckley, Chairman of the Civil Aeronautics Authority, at the Honors Night dinner, Institute of Aeronautical Sciences, at the Hotel Biltmore, New York, on January 26, 1940, which appears in the Appendix.]

ADDRESS BY HON. PATRICK J. HURLEY TO BOYS' CLUBS OF WASHINGTON, D. C.

[Mr. AUSTIN asked and obtained leave to have printed in the RECORD an address delivered by Hon. Patrick J. Hurley at a meeting of the Boys' Clubs of the Washington area at Washington, D. C., February 23, 1940, which appears in the Appendix.]

CASE OF THE "ALTMARK"—LETTER FROM JAMES W. RYAN

[Mr. MINTON asked and obtained leave to have printed in the RECORD a letter from James W. Ryan, chairman of the American Bar Association committee on law protecting Americans and their property in foreign countries and on the high seas, published in the New York Times of February 25, 1940, entitled "Case of the Altmarm," which appears in the Appendix.]

REFORMATION OF ADMINISTRATIVE PROCEDURE—ARTICLE BY LUDWELL DENNY

[Mr. MINTON asked and obtained leave to have printed in the RECORD an article by Ludwell Denny entitled "Sweeping Legislation" published in the Washington News, which appears in the Appendix.]

REFORMATION OF ADMINISTRATIVE PROCEDURE—ARTICLE BY ALFRED JARETZKI, JR.

[Mr. MINTON asked and obtained leave to have printed in the RECORD an article by Alfred Jaretzki, Jr., published in the Louisiana Law Review for January 1940, entitled "The Administrative Law Bill: Unsound and Unworkable," which appears in the Appendix.]

ORDER DISPENSING WITH CALL OF THE CALENDAR

The VICE PRESIDENT. The routine morning business having been concluded, the consideration of bills on the calendar under rule VIII is in order.

Mr. BARKLEY. I ask unanimous consent that the calling of the calendar be dispensed with.

The VICE PRESIDENT. Is there objection? The Chair hears none.

APPROPRIATIONS FOR DEPARTMENTS OF STATE, COMMERCE, JUSTICE, AND THE JUDICIARY

Mr. McKELLAR. Mr. President, I move that the Senate proceed to the consideration of House bill 8319.

The VICE PRESIDENT. The question is on the motion of the Senator from Tennessee.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 8319) making appropriations for the Departments of State, Commerce, and Justice, and for the judiciary, for the fiscal year ending June 30, 1941, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. McKELLAR. I ask unanimous consent that the formal reading of the bill be dispensed with, and that it be read for amendment, the amendments of the committee to be first considered.

The VICE PRESIDENT. Is there objection to the request of the Senator from Tennessee? The Chair hears none. The clerk will proceed to state the amendments of the committee.

The first amendment of the Committee on Appropriations was, under the heading "Title I—Department of State—Emergencies arising in the Diplomatic and Consular Service," on page 17, line 3, after "U. S. C.", to strike out "42" and insert "22", so as to read:

Contracts entered into in foreign countries involving expenditures from any of the foregoing appropriations under the caption "Foreign intercourse" shall not be subject to the provisions of section 3741 of the Revised Statutes (41 U. S. C. 22).

POLL TAXES

Mr. GUFFEY. Mr. President, I wish to direct the attention of the Senate to a vital question having a significant bearing upon our democratic institutions.

Recently, I am informed, the Department of Justice has inquired into the question of so-called poll taxes in several States, with a view to determining whether they constitute an infringement of the civil liberties of citizens under the Constitution of the United States.

It is my understanding also that some Members of Congress are drafting legislation to outlaw such taxes, and that we may be called upon to consider such legislation before the present session ends.

The question of poll taxes assumes particular interest in my own State of Pennsylvania, since our Republican-controlled general assembly only last year set in motion the machinery for the reestablishment of such a tax.

This tax, which was in effect for many years, led to such corruption and wholesale vote buying that it was overwhelmingly voted down in 1933, when the people of Pennsylvania amended their constitution in order to get rid of it.

In all countries and in all ages the poll tax has had a dishonorable history.

Such a tax was levied in the year 4 B. C. by the Emperor Caesar Augustus, and it was imposed upon conquered peoples as a badge of servility.

Among the payers of this poll tax were Joseph and Mary, who went up to Bethlehem to be enrolled as taxpayers.

Its history, however, dates even beyond that, for we find that in ancient Greece the philosopher Aristotle called it "a most ignominious imposition, which none but slaves paid to tyrants."

In England, more than 500 years ago, Wat Tyler led the peasants in a bloody rebellion against the poll tax.

The revolt was put down, but it achieved its purpose. Restrictions upon suffrage were gradually relaxed.

All poll-tax requirements of any kind were finally abolished in England in 1698, and they have never been restored.

The British brought the tax to America in 1663, and it prevailed throughout the Colonies until the Revolution.

In fact, this tax was one of the grievances of the colonists against the Crown; and North Carolina's revolt against it resulted in the Mecklenburg Declaration of 1775, a forerunner of the Declaration of Independence.

The Revolutionary fathers abolished the poll tax as one of the first and most important steps toward democracy, and it did not reappear until after the War between the States.

The movement for repeal of these taxes was launched more than two generations ago, with Maryland taking the lead; and today the tax remains in effect in only eight States.

It is a fact that the poll tax restricts suffrage. In the 9 States which had poll taxes in 1936 there were 12,472,000 persons of voting age, but only 334,590 votes were cast.

In 6 other States without poll taxes, having approximately the same number of persons of voting age, there were 9,817,094 who voted.

The 1936 vote for the Nation as a whole showed that only 24 percent of the eligible electors voted in the poll-tax States, as compared with 72 percent in the remaining 40 States.

When Florida abolished the poll tax, subsequent to the 1936 election, there was a phenomenal increase in the number of voters, as my friend the Senator from Florida [Mr. PEPPER] can testify.

The plain fact is that the poll tax makes it possible for cliques dominated by wealthy and often absentee property holders to control politics and elections.

This is a serious threat to the South. For with the infiltration of northern capital has come northern political influence—an influence designed to yoke the South in economic subjection by keeping great sections of its people in political thralldom.

It is futile to contend that the poll tax gives the elector a stake in government. Instead, the poll tax leads to the atrophy of democratic process, and the so-called stake be-

comes an ironic jest when precinct committeemen pay the tax in order to buy the vote.

In Pennsylvania the fight against the poll tax was begun nearly 70 years ago, in the constitutional convention of 1873, when it was attacked as a relic of our monarchical and aristocratic origin.

The fight was not ended until 1933, and by that time, according to the editorial columns of the Philadelphia Evening Bulletin, the tax had degenerated into a meaningless and expensive nuisance.

Despite the fact that the entire history of poll taxes in Pennsylvania had been marked by corruption and vote fraud, an attempt was made to restore the tax at the 1937 session of the general assembly. Members of the Republican minority sponsored the measure, which was blocked by the Democratic majority.

In 1939, with a Republican majority in the legislative saddle, the situation was different. A resolution to restore the poll-tax provision to the constitution was introduced by Dr. George Woodward, millionaire Republican State senator from Philadelphia, who shamelessly admitted he was acting as a spokesman for the underprivileged rich. The senator also admitted at the same time that he thought "we have too many voters." It was estimated that in his own district more than 5,000 voters, most of them his political opponents, would have been disfranchised by the Woodward measure—and may yet be if the proposal is approved once more by the legislature and accepted by the electorate.

This action could not have been taken by the Pennsylvania General Assembly without the connivance of Governor Arthur James, who controls it jointly with ghost governor Carl Estes, and Estes' boss, Joe Pew. It was a bold move to turn the clock backward in Pennsylvania; to thrust down the people's throats a discredited and repudiated relic of monarchy. Its practical purpose was to disfranchise the underprivileged; to deny them one of the greatest and most inalienable rights of citizenship.

When the Republican National Convention, as anticipated and announced, rededicates itself to fundamental American principles at Philadelphia this June—and I might add that such rededication is very much in order for a party leadership that has strayed so far from the principles of the founding fathers—it would do well to drop a hint to Joe Pew and Moe Annenberg, that their Harrisburg representatives strangely belie those fundamental principles in advocating a poll tax.

It is my hope that the Supreme Court will strike down all poll-tax qualifications throughout the Nation, in order that money may, nowhere in this Republic, be a prerequisite to full citizenship.

It is my belief that the Congress of the United States, so far as it be within its power, will do its utmost to achieve this end.

The poll tax is the negation of democracy, the basis of election fraud and corruption, and the root of much social and economic distress. It should be abolished throughout the United States—now and forever.

THE GENERAL ACCOUNTING OFFICE

Mr. TOBEY obtained the floor.

Mr. DANAHER. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. VAN NUYS in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Chandler	Guffey	Lucas
Andrews	Chavez	Gurney	Lundeen
Ashurst	Clark, Idaho	Hale	McCarran
Austin	Clark, Mo.	Harrison	McKellar
Bailey	Connally	Hatch	McNary
Bankhead	Danaher	Hayden	Maloney
Barbour	Davis	Herring	Mead
Barkley	Donahey	Hill	Minton
Bilbo	Downey	Holt	Murray
Bridges	Ellender	Hughes	Neely
Brown	Frazier	Johnson, Calif.	Norris
Bulow	George	Johnson, Colo.	Overton
Byrd	Gibson	King	Pepper
Byrnes	Gillette	La Follette	Radcliffe
Capper	Glass	Lee	Reed
Caraway	Green	Lodge	Reynolds

Russell	Stewart	Tobey	Walsh
Schwartz	Taft	Townsend	Wheeler
Schwellenbach	Thomas, Idaho	Truman	White
Sheppard	Thomas, Okla.	Vandenberg	Wiley
Smith	Thomas, Utah	Van Nuys	

The PRESIDING OFFICER. Eighty-three Senators having answered to their names, a quorum is present.

Mr. TOBEY. Mr. President, I rise to offer a resolution, and I wish to speak about 4 or 5 minutes on it.

I hold in my hand the recent annual report of the Comptroller General of the United States. Much of its contents is of necessity in the form of tables of figures and statistics, but the prose of this report presents a picture of a situation which is a challenge to each of us.

The present Comptroller General comes from my State, and is a former Member of this body. He is a man of integrity and frankness, and the latter quality is evident in his report.

The Congress created the Office of Comptroller General for the manifest purpose of having an independent agency to see to it that all expenditures by the various units of our Government were within the authority of the law. It provides as follows:

[The United States Code, title 31, ch. 2]

AUDIT AND SETTLEMENT OF ACCOUNTS

Section 72: Same; settlement of accounts. Accounts shall be examined as follows:

First, the General Accounting Office shall receive and examine all accounts of salaries and incidental expenses of the Office of the Secretary of the Treasury, and all bureaus and offices under his direction, all accounts relating to the Custom's Service, public debt, Internal Revenue, Treasury, and designated depositories, mints and assay offices, Bureau of Engraving and Printing, Coast Guard, Public Health Service, public buildings, Secret Service, and to all other business within the jurisdiction of the Department of the Treasury, and certify the balances arising thereon to the Secretary of the Treasury.

Officials of the Internal Revenue have explained to me that it is difficult to give a definition of the term "audit" that would apply to all forms of auditing. Their interpretation is that to audit means to examine and to verify to the fullest extent possible under the circumstances of a particular case; wherever physical examination is possible, they regard this as a requisite of a real audit, and so do I.

That the work of the Comptroller General's office has tremendously increased is clear from the record of the volume of items presented for audit. But it is not with these that I am concerned.

I wish to read the foreword from the Report of the Comptroller General of the United States, as follows:

In making to the second regular session of the Seventy-sixth Congress the following report of the work of the General Accounting Office for the fiscal year 1939, as required by section 312 (a) of the Budget and Accounting Act, approved June 10, 1921 (42 Stat. 25), it should be stated that my responsibility for the work of the General Accounting Office began April 11, 1939, at which time the work during more than three-quarters of the fiscal year had already been performed under the direction of the Assistant Comptroller General of the United States.

So that the responsibility of Comptroller General Brown in his incumbency of this great office, as he himself sets forth, covers only the period from April 1939 to the beginning of the last fiscal year, which was July 1, 1939.

I am concerned, and seriously so, over the truths which the Comptroller General tersely sets forth. Let me read his own language. On page 101, chapter 4, under the heading "Financial statements," he writes:

The statements comprising this chapter are "matters relating to the receipt, disbursement, and application of public funds." They bring to the attention of the Congress, as fully as the accounting records of the Government make possible, information regarding the public funds on deposit in the Treasury of the United States and in other depositories authorized by law, the value of gold and silver holdings of the Government, accounts receivable in isolated cases, investment holdings of the Government, all as reported, but not verified by audit by the General Accounting Office; and miscellaneous loans receivable reported in isolated cases but not verified by audit. In opposition to the assets there are set forth items representing certain ascertained liabilities, commitments in the form of appropriations, special deposit funds, and trust funds. Among such items are the exchange stabilization fund, which is exempted by law from audit by the General Accounting Office; public debt, the transactions of which have not been audited by the General Accounting Office; special deposit accounts and depository accounts of Government

corporations and agencies, many of which have not been audited by the General Accounting Office; and balances to the credit of disbursing officers, as to some of which the audit by the General Accounting Office is not current.

Each of the items contained in the statement (exhibit A) is described in some detail in the following paragraphs and is supported by statements on which comments deemed pertinent have been made:

I am reading now from the Comptroller General's Report under the paragraph—

GOLD UNENCUMBERED (SCHEDULE A-1)

This item shows the book value of gold unencumbered as recorded on the records of the Treasurer of the United States and shown to be in the custody of the superintendents of the several mints, assay offices, and Fort Knox, Ky.—

Listen, my colleagues—

Verification or physical inspection has not been made by the General Accounting Office.

So, according to the statement of the Comptroller General, the fact remains that the unencumbered gold in those different depositories, of a total value, according to the report of the Treasury, of \$2,318,856,396, has never been examined physically and verified to exist.

I come now to—

SILVER UNENCUMBERED (SCHEDULE A-2)

This item states the book value of silver on hand as shown by the records of the Treasurer. The quantities held in Washington were verified by the General Accounting Office by actual count during the fiscal year 1938 and were at that time placed under seal in the vaults of the Treasury.

The Comptroller General is referring to that part of the silver which is in Washington. He continues:

The bulk of the silver, however, and as per his schedule A-2, the value of this is \$615,085,905, is in the custody of the superintendents of the mints and assay offices and such quantities have not been verified by actual count.

We come now to the subdivision—

CASH—TREASURY OFFICES (SCHEDULE A-3)

This item reflects the cash (coin, currency, etc.) in Treasury offices as shown by the books of the Treasurer of a value of \$34,131,730. No actual verification of this amount has been made by the General Accounting Office.

DEPOSITARIES (SCHEDULE A-4)

This item reflects the amount on deposit with Federal Reserve banks and approved depositories as recorded on the books of the Treasurer. The General Accounting Office has made no verification on this account.

ACCOUNTS RECEIVABLE (SCHEDULE A-5)

This item represents the amount of receivable items carried on the books of the Treasurer as being in the process of collection and has not been verified by the General Accounting Office.

On page 105 of this report he states:

NATIONAL DEFICIT

This item reflects the difference between the assets and liabilities as shown by this financial statement, and is subject to adjustment on account of several items such as the realizable value of the assets, particularly foreign obligations receivable under schedule A-8; accounts receivable of many type not included in the statement because of lack of reliable information; tax levies due and uncollected; whatever net worth may be applied to the Tennessee Valley Authority; and for other reasons of similar importance. The amount, therefore, should be considered only as a basis for adjustment of all of the elements when they become known.

If anything in printer's ink ought to be expressed by the algebraical expression "X," as an unknown quantity, the Comptroller's report is entitled to that distinction.

Where does this leave us? It leaves the Nation with a figure dollar balance of the value of gold bullion, silver, cash, and so forth, of billions of dollars. But that is all we actually know.

No one knows whether the gold, the silver, the cash, the bonds, and securities which are the actual assets behind the bookkeeping figures are in the several depositories or not.

Of course, we all believe they are. There is no reason to suspect they are not.

But no actual audit or physical examination and verification has been made by the Comptroller General or any other independent accounting agency.

It is almost unbelievable, yet it is true.

Now, let us consider a little further into the situation. Our Government, and rightly so, sets up high standards for business which comes under its purview and demands their maintenance, but in the matter of its own wealth, measured in cash, gold, silver, bonds, and so forth, it is unbusinesslike and loose.

Who in this Chamber has so short a memory that he does not recall the tragedy which took place in the management of a large corporation a couple of years ago? The statement of that corporation's finances was an admirable one, insofar as the figures setting forth its assets went. But when some earnest accountant had the courage to go behind those figures and look into the actual assets as represented by inventory of merchandise, they found those assets seriously impaired and largely nonexistent.

Loss and shame accrued to all responsible therefor.

I would be the last to suggest that anything akin to that is present in connection with these Treasury assets, but I submit that we have a duty and responsibility in this matter which stands out clearly, and that is to take steps at once to have a physical examination and verification of the gold, silver, cash, receivables, and bonds which are Treasury assets and expedite this matter.

This report is a challenge to the Senate.

The nonexistence of any definite knowledge and verification is an amazing revelation.

It is a sin of omission.

As trustees for the people we cannot pass this by.

Such a situation cannot be permitted to continue.

To that end, Mr. President, I offer a resolution, Senate Resolution 238, as follows:

Whereas it is provided in section 312 of the Budget and Accounting Act, 1921, that the Comptroller General "shall investigate, at the seat of government or elsewhere, all matters relating to the receipt, disbursement, and application of public funds"; and

Whereas in that part of the annual report of the Comptroller General for the fiscal year ending June 30, 1939, which relates to such matters it is stated that information is presented "regarding the public funds on deposit in the Treasury of the United States and in other depositories authorized by law, the value of gold and silver holdings of the Government, accounts receivable in isolated cases, investment holdings of the Government, all as reported, but not verified by audit by the General Accounting Office"; and

Whereas it is further stated in such report that the item "Gold unencumbered" shows only the book value of such gold "as recorded on the records of the Treasurer of the United States and shown to be in the custody of the superintendents of the several mints, assay offices, and Fort Knox, Ky." and that "verification or physical inspection has not been made by the General Accounting Office"; and

Whereas such report further states that the item "Silver unencumbered" shows merely the book value of silver on hand as carried on the records of the Treasurer, that the General Accounting Office verified by actual count in 1938 the part of such silver held in Washington, but that the bulk of the silver, which is in the custody of the superintendents of the mints and assay offices, has not been so verified by actual count; and

Whereas the report further states that no verification has been made by the General Accounting Office of the amount of cash in Treasury offices or the amounts on deposit with Federal Reserve banks and approved depositories, and that the records of the Treasurer of the United States and the Office of Commissioner of Accounts and Deposits with respect to the investment holdings of the Government are not complete; and

Whereas it is essential in the public interest that full and complete information shall be available to the public at all times with respect to the actual amounts of gold, silver, securities, and other assets of the Government, and that a proper audit shall be made of the accounts of the various agencies which have custody of any such assets, including the verification of the assets themselves: Therefore be it

Resolved, That a special committee of five Senators, to be appointed by the President of the Senate, is authorized and directed (1) to make a full and complete study and investigation of the manner of auditing the accounts of the various agencies which have custody of Government assets (including gold, silver, coins, currency, and securities), and the failure of the General Accounting Office to verify the assets referred to in the annual report of the Comptroller General for the fiscal year ending June 30, 1939, as not having been verified; and (2) to report to the Senate thereon, together with the method which, in the opinion of the committee, is best calculated to insure an impartial and independent audit of the accounts of all agencies which have custody of any of such assets, including the proper verification of such assets by actual count or otherwise. The committee shall report to the Senate as soon as practicable, but not later than 60 days after the date this resolution is agreed to, the results of its study and investigations, together with its recommendations, if any, for necessary legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the third session of the Seventy-sixth Congress, to employ clerical and other assistance, to require, by subpoena or otherwise, the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to make such investigations, to administer such oaths, to take such testimony, and to incur such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed \$15,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. BARKLEY. Mr. President, I suppose the resolution just read by the Senator from New Hampshire will be referred to the appropriate committee.

The PRESIDING OFFICER. The resolution (S. Res. 238) will be referred to the Committee on Appropriations.

APPROPRIATIONS FOR THE DEPARTMENTS OF STATE, COMMERCE, JUSTICE, AND FOR THE JUDICIARY

The Senate resumed the consideration of the bill (H. R. 8319) making appropriations for the Departments of State, Commerce, and Justice, and for the judiciary for the fiscal year ending June 30, 1941, and for other purposes.

Mr. BARKLEY. Mr. President, what is the amendment now pending?

The PRESIDING OFFICER. The pending amendment is the first amendment of the committee, on page 17, line 3, after "U. S. C.", to strike out "42" and insert "22."

The question is on agreeing to the committee amendment. The amendment was agreed to.

The next amendment was, under the subhead "Contributions, quotas, and so forth", on page 18, line 1, after the figures "\$1,722.57", to strike out "Bureau of Interparliamentary Union for Promotion of International Arbitration, \$20,000, including not to exceed \$10,000 for the expenses of the American group of the Interparliamentary Union, including personal services in the District of Columbia and elsewhere, traveling expenses, purchase of necessary books, documents, newspapers, periodicals, maps, stationery, official cards, printing and binding, entertainment, and other necessary expenses to be disbursed on vouchers approved by the president and executive secretary of the American group."

Mr. BARKLEY. Mr. President, I trust the amendment at the top of page 18 will not be agreed to. It is a small item of \$20,000, which has for many years been appropriated by Congress, one-half of which is a contribution by the United States to the maintenance of the Interparliamentary Union, an international organization that is more than 50 years old. This \$10,000 appropriation to the maintenance of the Interparliamentary Union is an important item in its budget. The other \$10,000 is to contribute toward the payment of the expenses of the American group in attending the conferences of the Union. I understand the committee struck out this item on the theory that there might not be any conference of the Interparliamentary Union this year, but whether there will be a conference this year may depend on whether the war in Europe continues for the remainder of the year. However, whether there is a conference this year or not, the Union must be maintained. It has certain expenses which it has to meet. It has a general secretary. It has offices which have to be maintained. Recently I received from the secretary of the Interparliamentary Union a letter in which it is stated that even though there should be no general conference this year, due to the European War, it is contemplated that there will be group conferences among the representatives of the nations not at war, or perhaps even some of those at war, looking toward the preparation of the ground for ultimate peace among the nations of the world.

If there is no general conference, and if there is no American delegation, there will be no expense, and the money will revert to the Treasury. So no harm could come from the appropriation of \$20,000 for the purposes stated in the provision. I think it would be most unfortunate at this particular time to eliminate this small item for the maintenance of an organization which during the past half-century has

contributed to the development of the theory of cooperation and better understanding, economic as well as political, among the nations of the world. I think it would be especially unfortunate at this time to eliminate this appropriation and to announce to some 30 or 40 nations of the world that the United States Government is unwilling to spend the small sum of \$20,000 a year to maintain this organization.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from Michigan.

Mr. VANDENBERG. The personnel involved would have much to do with my point of view. Can the Senator tell me who is at the head of the American group?

Mr. BARKLEY. I shall be glad to answer the Senator. For a number of years I was president of the American group. A year ago a Member of the House of Representatives was elected. This year, in my absence and without my consent, I was again chosen as head of the American group. I urged that a Member of the House of Representatives be elected as head of the American group if the group were not willing to reelect the incumbent. They saw fit to elect me.

Mr. VANDENBERG. I wanted the Senator to make that statement, because, so far as I am concerned, that justifies the appropriation.

Mr. BARKLEY. I thank the Senator. However, I would not want the Senator's remarks to be interpreted to mean that anyone who has ever been the head of the American group was not worthy of the appropriation being made by the Congress.

This item is a small matter. I do not even like to take the time of the Senate to discuss it; but it seems to me the item should be retained. I do not know whether or not there will be a conference this year; but if one is not held, the money will not be spent. If there is one, the American Republic ought to be represented; and the small amount of \$10,000 is a contribution toward the payment of the expenses.

The appropriation has never paid all the expenses. Anyone who goes as a delegate pays out more money than he receives from the \$10,000; but the appropriation aids in defraying the expenses of those who go. Last year at Oslo there was a large delegation. Many of the delegates paid their own expenses, or had only a small part of their expenses reimbursed to them. However, not all the Members of the Senate and the House are in a position to go on these missions and pay their expenses out of their own pockets.

The committee has eliminated the item as a measure of economy. I am in sympathy with that viewpoint, and I shall help to eliminate as much as I can to bring about as much economy as possible in order that, if possible, we may avoid a tax bill at this session, or raising the debt limit of the United States. However, I do not think the \$20,000 will contribute very much either to economy or to the avoidance of a tax bill.

Mr. ASHURST rose.

Mr. BARKLEY. I yield to the Senator from Arizona.

Mr. ASHURST. I shall take the floor when the Senator concludes.

Mr. BYRNES. Mr. President, I shall consume only a few minutes. I voted against retaining the item in the bill, and I wish to state my reasons for doing so.

I seriously doubt that anything has been accomplished by this organization. I have never been able to find out what has been accomplished. I went 1 year as a delegate; and after attending the sessions I was more than ever satisfied that the organization served no good purpose.

As a matter of fact, a meeting of the representatives of parliamentary bodies today to discuss international arbitration means a meeting of the few democracies. A representative will attend from Germany. How much power the representative of a parliamentary body in Germany would have to determine questions of international arbitration, Members of the Senate know. A representative from Russia will doubtless be present. How much power a parliamentary body in Russia has on a matter of international arbitration is open to question. The same thing is true of Italy. As a matter of fact, such a meeting means a meeting of representatives of France, Great Britain, and the United States.

The meetings are pleasant enough affairs. I listened to one or two speeches at the meeting which I attended. There were interpreters; and after the speeches were interpreted from French into German, and then into English, I concluded that the speeches were bad in any one of the three languages. [Laughter.] There were speeches by men who had no power to act. They could not accomplish anything. They could only speak. Everyone knew that they did not speak for the power in their countries, except as to the democratic countries.

I must say that the Senator from Michigan [Mr. VANDENBERG] made the only argument I know of in favor of the appropriation. If the Senator from Kentucky [Mr. BARKLEY] is to be a representative, I greatly dislike to oppose the item. I should be in favor of sending him, because he has taken a great interest in the organization and is well equipped to perform some service.

When it comes to sending a delegation this year to meet with representatives of other parliamentary bodies, I ask, What representatives will they meet? The representatives of what countries will they meet to discuss international arbitration next July?

In the first place, I like the Senator from Kentucky [Mr. BARKLEY], and I do not want him in the war zone this year. I do not want any other Member of the Senate over there. I know, too, that if they go over there we are likely to have some international complications. According to the press, last year, when the American delegation was abroad in August, the chairman of the American group—not the Senator from Kentucky, but the then chairman of the group, a Member of the other House—visited various foreign offices. We received daily information that the chairman of the American group was calling upon the Foreign Office in Berlin, the Foreign Office in France, and the Foreign Office in England; and about 1 week thereafter the war started. Judging by results, it was exceedingly unfortunate that we sent a delegation there for the purpose of encouraging international arbitration. However, I believe that the country was not as well informed on the subject as we were. Many were misled by the efforts on the part of the chairman in going to various foreign offices and attempting to conduct the foreign affairs of this country in that rather informal way. As a matter of fact, I do not believe the Congress had delegated any power to the chairman, nor had any instructions been given as to how far he should go in settling the affairs of Europe.

With the situation upon the sea as bad as it is, if Members of the Senate and House are sent across the water in the ships of other nations, and if one of those ships should be torpedoed, an international controversy would immediately arise. Mr. Welles is now traveling abroad representing the State Department for the purpose of discussing matters with foreign governments. If we should send a delegation from the Congress to discuss matters with representatives of the parliamentary bodies of Germany, Russia, and Italy, I cannot see that any good would be accomplished. I believe that this year we could afford not to make this appropriation, so that no gentleman would feel under obligation to go. If the money were appropriated, and Congress in that way should instruct the delegates to go, it would embarrass any Member of the Senate or House to refuse to perform this service for his country at a time of crisis in the affairs of the Nation. Such action should not be demanded of them. It might be misunderstood. If we should not make the appropriation, the secretary in this country would not have any negotiations to make, and there would be no occasion to pay a salary. Such a course would not save much money, but it would indicate that when it comes to a matter which involves the expenses of the Congress itself, we are willing to make a sacrifice and to do without contributing to this mission. Therefore we could economize on the executive departments with less hesitation than if we were spending this money, as I believe, unnecessarily.

Mr. WILEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Wisconsin?

Mr. BYRNES. I am through, unless the Senator desires to ask a question.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. WILEY. Mr. President, I merely wish to express my own opinion in relation to this matter. I was privileged to attend the conference held in Oslo last summer, and I wish to say to the distinguished Senator who has just spoken that, as I understand, Germany was not represented there, and neither was Russia, neither was Italy, neither was Japan.

My only purpose in rising to second the thought of the majority leader that the Senate retain and not strike out this \$20,000 item is to suggest that, while the Interparliamentary Union does not consist of delegates who speak with authority from their governments, yet, nevertheless, it speaks with a certain degree of authority. We who were there met men of kindred minds—men who feel that parliaments mean something to the world. Fifty-odd years ago this organization came into being, and during that 50-year period America has contributed not only of her money to maintain the organization but has sent many of her fine statesmen to the meetings of the Union.

This morning it was my privilege to sit in the committee and hear the distinguished Secretary of State speak in behalf of the so-called reciprocity agreements. One of the points he made was, if the reciprocity agreements or authority to negotiate them is maintained in the President, that if and when the war ceases we will have an instrument which we can use to the benefit of our own country and all the other countries of the world. It seems to me that if the Congress should now snuff out this flame, when only ten or twenty thousand dollars are involved, it would be taking action detrimental to the cause of peace, if and when peace comes. It occurs to me that we should reinstate the \$20,000 item and thus say not only to our own people but to democracies everywhere that we are in favor of parliaments and the parliamentary form of government; we are not going to let parliaments down, but are going to stand our burden or share of the expense of the Interparliamentary Union.

Mr. McKELLAR. Mr. President, this appropriation was considered and discussed both in the subcommittee and in the full committee. It was voted down in both by substantial majorities.

The theory, as I gathered it from the expressions of members of the committee, was that as our European neighbors are unfortunately engaged in war, it would be impossible to gather them together this year. If the war should be over by the middle of the summer, we would all be very happy, but the majority of the committee did not believe that it would be over in time for this organization to do any good this year, and we thought that the appropriation therefore should be omitted for this year.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Kentucky?

Mr. McKELLAR. I yield.

Mr. BARKLEY. Of course, the Senator realizes that if there should be no conference the \$10,000 that would go to the payment of expenses of the delegates would revert to the Treasury, and only the other \$10,000, which is a permanent contribution to the maintenance of the union, would be expended.

Mr. McKELLAR. That is true; \$10,000 of the amount would not be used, but the other \$10,000 would be used, and there was a considerable expression to the effect that a permanent appropriation of \$10,000 a year to this organization would not be of very much, if any, value to the country. The majority of the committee took that view, and felt that certainly the amount should not be expended this year when probably no other nation would make a contribution and probably no meeting would be held. All we would be doing would be to contribute to the organization, and the committee was of the opinion that this amount ought to be saved. I think, under the circumstances, it should be saved, because I do not believe that either England or France will be able to send delegates to a meeting of the Interparliamentary Union this year; I am quite sure that Germany and Italy and Russia

will not be able to do so; and I am quite sure that the Scandinavian countries will not be able to send delegates this year; in fact, I am quite sure that there will be no meeting of the union this year, and why we should appropriate this amount, under the circumstances, it is difficult for me to understand. It is a small sum, it is true. I regret exceedingly we cannot continue it, because of our distinguished leader on this side the Senator from Kentucky [Mr. BARKLEY], who, as we all know, has been a very active member of this organization for some time.

I digress sufficiently long to say that, while I could not understand all the speeches made in languages other than English, the only speech that was very much to the point at the meeting which I attended several years ago was the one delivered by the distinguished Senator from Kentucky, who made an excellent speech which won for him great applause and of which the American delegates were very proud. If it were on his account, if I thought there was any chance of his going over there this year, I would certainly be delighted to vote for the appropriation, but the committee has overwhelmingly taken the other view. I do not know what position they will take here on the floor, but in the committee overwhelmingly they took the other view, and there were only one or two votes, as I remember, in the subcommittee and only three or four in the full committee in favor of the appropriation.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. DANAHER. Does not everything the Senator says apply with equal force to the item on page 20, lines 15 and 16? Yet there the committee recommends an increase to \$10,000 for participation by the United States in the International Labor Conference.

Mr. McKELLAR. Oh, no; the Senator is mistaken about that.

Mr. DANAHER. In what particular am I mistaken?

Mr. McKELLAR. The House decreased the amount that might be used for expenses of participation in the meetings of the International Labor Organization from \$15,000 to \$5,901, and the Senate committee restored \$3,000. That is a different situation, although I doubt very much whether that appropriation can do any good.

Mr. LODGE. It is within the limitation, too.

Mr. McKELLAR. Oh, yes; it is within the limitation; there is no doubt in the world about that; and, furthermore, it was thought that this was of greater actual value to our country than the other appropriation.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. BARKLEY. Would there be any more danger in delegates to the Interparliamentary Union going to Europe than members of the International Labor Conference? If this appropriation is to be denied because of the solicitude of our colleagues that we might find ourselves in danger zones, I wonder wherein the distinction lies between the value of our lives and the value of the lives of those who might attend some other conference for which an appropriation is made?

Mr. McKELLAR. The appropriation was not denied for that reason. It was denied because it was thought there would be no meeting.

Mr. BARKLEY. I am speaking of the reason assigned by the Senator from South Carolina.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. BYRNES. If some representative of a labor organization on his way to the labor conference should go down in a ship, I myself doubt whether it would cause quite as much disturbance as if a Senator or a Member of the other House on their way to serve as delegates from this country should go down.

Mr. BARKLEY. Regardless of the disturbance that might be created, after all, the value of the life of a delegate to the other conference might be greater than that of anybody here.

Mr. BYRNES. Irrespective of whether the value of one life would be greater than another, if the Senator from Con-

necticut would move to strike out the other item, I would like to support such a motion and to strike both out.

Mr. BARKLEY. I am not going to move to strike it out. I am talking about the relative importance of the two conferences as viewed by the Committee on Appropriations.

Mr. BYRNES. I am very anxious to save the lives of Senators and Representatives.

Mr. McKELLAR. Of course, it would depend on where the Interparliamentary Union Conference would be held. I do not know where it would be held. If held in South America, it would not be dangerous for those attending, but it will not be held in South America, and I think it has been held in this country only twice in all the history of the organization.

I wish to say that the majority leader was good enough to appoint me a delegate to one of the meetings. I went to the meeting, and enjoyed it very much, but, for the life of me, how it had any effect in the world on any American question I was unable to determine, because all the other members of the conference talked wholly about European questions and not at all about American questions. I do not recall that any American question was raised until we heard the very eloquent and patriotic address delivered by our distinguished leader, than whom none can do better, as we all know. But no American question was involved, and nothing that concerned America was even discussed at the whole conference, if I understood all that took place, and I am not sure that I did. I make that reservation. I think unquestionably that this year the matter should be left as it has been left by the committee. The item should be stricken out. In 2 or 3 years I would be very glad to have our delegates confer with delegates from Europe, if it should be thought desirable, but I think this \$20,000, while a very small amount, legislatively speaking, is at least that much money saved this year, and it will be found from an examination of the three appropriation measures contained in the one bill that there has been a very great deal of economy recommended by the Appropriations Committee in reporting the bill.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. LODGE. May I say that those of us on the committee on the minority side support everything the Senator from Tennessee and the Senator from South Carolina have said. It seems to me the record of accomplishment of the Interparliamentary Union is not of a character that can impress the casual student, and if there is any place where we can save the public funds it is on an activity of this sort at this time.

Mr. ASHURST. Mr. President—

Mr. McKELLAR. I yield the floor.

Mr. ASHURST. Mr. President, I am reluctant to enter this debate, and I shall remain in it but a short time. My diffidence in speaking on the amendment arises partly, if not wholly, from the fact that the item is opposed by such able Senators as the Senator from Tennessee [Mr. McKELLAR], the chairman of the subcommittee having the bill in charge; by the Senator from South Carolina [Mr. BYRNES], upon whose sagacity and judgment I long ago learned to depend; and by the able Senator from Massachusetts [Mr. LODGE]. As I say, their opposition gives me a certain diffidence in speaking on this subject; but, Mr. President, in view of all the circumstances I feel that this item should be retained.

I recall that in 1914, when Germany made an assault upon Belgium, and Belgium walked the Via Dolorosa that led to duty, death, and glory; and France, with a bravery and a resiliency beyond the range of eulogy, met the German impact, the United States Senate was ratifying so-called peace treaties. Those peace treaties were called breathing-spell treaties and were ridiculed by almost the entire world; indeed, many of our own most far-seeing statesmen ridiculed those peace treaties; but if those breathing-spell treaties had been applied, the stroke of apocalyptic vengeance which came upon the world in 1914 might have been averted.

Mr. President, when Prussian militarism was making its raid upon innocent and unoffending countries such as Belgium and France, it was Earl Grey who said, "The lights of Europe are going out." It looks now as if the lights of Eu-

rope are, indeed, going out. If they are, they will not be relumed within the lifetime of any person now living. When these lights are going out, possibly not to be relumed within a hundred years, what a truly great act it would be for the United States, devoted to peace, to send, proudly, bravely, not on a warship but on a passenger vessel, its delegates to the Interparliamentary Union, if there should be one.

Mr. President, this conference has been called a gesture. It is, we will say, a gesture. Many years ago, I attended one of these Interparliamentary Union Conferences. I could not understand any language there spoken except the English. I could, now and then, catch a sentence of the French. No other language did I understand, but I had the consolation to know that, gibberish as some of the speeches sounded, those who made them were talking peace. Then a band played and the throbbing cellos and the bassoons sent out their notes, and every delegate knew what the band was talking about, because music speaks a universal language. That was one thing all delegates understood; and likewise the language of peace was understood because that is a universal language.

I do not want to smother the able majority leader [Mr. BARKLEY] with compliments, but I will say that he spoke ably at the Interparliamentary Union which I attended—it must have been 10 years ago. I did not presume to address the conference. I remember that another one of the delegates was a Member of the House of Representatives who has since achieved world-wide distinction and renown as a fearless, aggressive, and able leader, and is one of the most successful statesmen of our time, Fiorello H. LaGuardia. He delivered a superb speech; suggesting that reason and justice be applied in settling great questions.

Mr. President, I am reminded of an incident, in the history of Connecticut, which occurred probably 200 years ago. I do not know whether it was the town council or the town meeting that was in session. At that time there were no almanacs or radios to give news in advance of the occurring of an eclipse; but an eclipse came at midday. The sun was darkened; chickens went to roost; people were terrified. While the common council or town meeting was in session, somebody proposed to adjourn in order that the members might go to their own doom. One member, whose name for the moment I have forgotten, said, "No; if this be the end of the world, let us be found here doing our duty. Bring in candles," said he. Candles were brought in, and the town meeting or council proceeded with their work. The eclipse passed away, and light resumed its rule over the landscape.

So, Mr. President, if it be that the lights of Europe are to be extinguished—and it looks as if they may be—we are not going to intervene in any way. Europe must be the architect of its own destiny, for the destiny of a nation, like the destiny of a man, depends upon itself; and, as a man's salvation is wholly within himself, so is the salvation of a nation within itself. Europe will save itself only if and when Europe concludes that it has had enough of blood lust and ashes, and that there is a better forum than the supreme arbitrament of the sword in which to settle disputes.

So, Mr. President, I cannot find it in my heart to vote against this appropriation, although I commend the Senator from Tennessee for his efforts to economize. He has not singled out this item. I know that the Senator from Tennessee on many items, some of them affecting Arizona, has practiced economy, and it takes some courage to practice economy; but in the case of this particular item I believe that at this juncture we might let the world know that we are not intimidated; that we have not lost hope; and that, therefore, we will vote for a comparatively small sum to send some delegates to the Interparliamentary Union, there to discuss peace among the parliamentary governments of the world. Parliamentary governments are growing fewer and scarcer each month, and it seems to me we are the leader among parliamentary governments.

I close with the same note as the one upon which I began. I have made this speech with diffidence and with reluctance, as I say again, because the item is opposed by such

superb intellects as the Senator from Tennessee, the Senator from South Carolina, and the Senator from Massachusetts; but I shall vote to sustain this appropriation, so that at least here a light may send out its lambent beams, even if it costs \$20,000.

Mr. ADAMS. Mr. President, I am in accord with the action of the committee. I am not in accord with it on the basis of trying to save ten or twenty thousand dollars. That is not the basis of my support of the committee amendment. The amount is small. I am opposed to the item because I disapprove of the visitation to Europe at this time of a roving congressional delegation.

Like some of the others who have spoken, I went one year as a delegate to the Interparliamentary Union. I felt when I went that it would be a great thing; that in place of conferences between the executives of the nations there would be a conference between the legislative bodies of the nations. I very promptly found that the things which might have been of interest were eliminated. The first rule was that nothing of a controversial nature should be discussed. When the controversial issues are eliminated, a conference of this kind is emasculated.

I came to the conclusion that the Interparliamentary Union conference was a futile thing. I did not oppose it at that time because I had no objection to Senators and Representatives visiting Europe and making pleasant, friendly contacts within and without the conference; but having thought it was futile as a result of my visit, after observing what took place last year, I came to the conclusion that it would be dangerous rather than futile this year. We already have abroad in Europe a sufficient number of United States citizens without sending a group selected purely at the wish of some individual. I am glad to have Senators take a friendly, comfortable junket; but I wish they would find some other place than Europe this year. The expense is immaterial. Ten thousand dollars is of no concern. It is of concern if we send 10 or 15 or 20 Representatives or Senators into the battle-torn, hostile fields of Europe. I think it can result in no good, but only in evil. So I am opposed to this appropriation, because I think this an unfortunate time for American citizens, and particularly for those in official life, whose positions would be misunderstood and misrepresented if they should go abroad to make such a trip.

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. ASHURST. I merely ask the Senator to permit me to say that in my main remarks I overlooked stating that I do not expect to be appointed as a delegate. I would deem it an honor to be appointed, but it would not be possible for me to accept.

Mr. ADAMS. If I thought the Senator from Arizona would be selected to go, I would withdraw any objection. [Laughter.]

Mr. ASHURST. It would not be possible for me to accept, for the reason that I have more miles of political fence down in my State than I find comfortable, and at the particular time when this Interparliamentary Union would meet I would not be in Europe, but I shall be in the geographical center of Arizona, attempting to put in order some fences which are now in a sad state of disrepair.

With all due deference to those able Senators who have opposed the amendment—and now, joined to the other Senators opposing the appropriation, comes one of the most superb intellects the West has produced in my time, the present senior Senator from Colorado [Mr. ADAMS], I shall support the item.

Mr. LUCAS. Mr. President, will the Senator from Colorado yield?

Mr. ADAMS. I yield.

Mr. LUCAS. I understand that the Senator from Colorado has made one trip to Europe in connection with the Interparliamentary Union.

Mr. ADAMS. That is correct.

Mr. LUCAS. The Senator said something about this being a junket trip. Would he care to elaborate upon the word "junket," in view of his previous experience over there?

Mr. ADAMS. I do not believe it would be necessary. I will say to the Senator, in order to elucidate very briefly, that I went to the meeting in Paris, the year of the Paris Exposition [laughter] under the leadership of the majority leader of this body, along with the Senator from Tennessee. I had marvelous company. [Laughter.]

Mr. LUCAS. In all seriousness, Congress is frequently criticized, in the newspapers and by the people throughout the country, for what are called junket trips, and I should like to know, as one who has not been to Europe in connection with one of these Interparliamentary Union meetings, whether or not the Senator is really serious when he says that in his opinion participation by the American delegates is nothing more nor less than a junket trip.

Mr. ADAMS. I would not say it was nothing more nor less than a junket. I said that if there were to be junkets, there were other places far better this year than Europe for such a trip. I go so far as to say that I am very glad to have Senators and Representatives go about at Government expense, broaden their horizons, become more familiar with international affairs, and bring information back to Congress. I do not care how much pleasure they may get out of such trips. I am perfectly willing to see funds established for so-called junkets, if they have an educational aspect. The particular trip now proposed, in this particular year, I think would be fraught with danger, and I say that because of the experiences of last year.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. CLARK of Missouri. Is it not possible that the same experience might be had this year that was had on one previous peregrination of the American delegation to the Interparliamentary Union, which in 1914, under the leadership of the late Dr. Bartholdt, of Missouri, started out with a great flourish of trumpets to a meeting of the Union, with the avowed purpose of bringing about permanent peace, and preventing war? When they were in the middle of the ocean on the way to Europe they received word that the European war had broken out. They were on the *Kaiser Wilhelm der Grosse*, and those in charge of the vessel being a little bit fearful that a British cruiser might attack them, the ship was turned about and steamed back to the United States. So that the delegation had the privilege at that time of taking a short ocean trip at Government expense and seeing one-half of the ocean twice without ever getting to the meeting of the Interparliamentary Union, which was at that time in a free-for-all fight.

Mr. NEELY. Mr. President, will not the Senator from Colorado inform us what if anything these delegations to the meetings of the Interparliamentary Union have ever accomplished?

Mr. ADAMS. I think I can say, from my experience, that, so far as the purpose ascribed—the purpose to promote international arbitration—is concerned, nothing has been accomplished. Other things may have been accomplished. I think it is agreeable and profitable to bring American politicians into contact, in friendly days, with those of foreign nations. I think the American group is very weak in that it is made up of officials, and yet without any very definite official designation. We attend the meetings, not by appointment of the executive department charged with the conduct of our foreign relations, but by appointment of the chairman of the delegation, who was last year a Member of the House of Representatives, who proceeded to pick delegates as he saw fit. That is, the authority does not come from the Congress, or from the Senate, except as I understand in a general sense every Member of both Houses is theoretically a member. I ask the Senator from Kentucky whether that is not true.

Mr. BARKLEY. Yes; that is correct.

Mr. ADAMS. The selection of those who are to have the benefits of the trip and represent their associates is made, at least it was a year ago, by a very well-known Member of the House of Representatives.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. BARKLEY. Every Member of the House and Senate is eligible to participate in the meetings of the Interparliamentary Union. They do not all do it, however.

Mr. FRAZIER. Mr. President, it seems to me this appropriation should by all means be continued. I agree with the Senator from Colorado that Europe would not be a good place for the meeting of the Interparliamentary Union this year, but I think it would be well to hold the meeting in the United States. If the delegates should come to this country to have a conference, say in Washington, they could visit our world fairs at New York and San Francisco, and they could see what is done in this, a peaceful country, in contrast with conditions in their own countries, where the people are at war. I believe a meeting in the United States this year would be a very good thing, and well worth the \$20,000.

Mr. BARKLEY. Mr. President, I do not wish to prolong the discussion, but I cannot let go unanswered one or two suggestions which have been made in the debate.

First, I want it understood that I have no personal interest in this appropriation. I have no interest in knowing, or projecting, or suspecting, or suggesting, or prophesying whether, if it is continued, I will go to any conference, no matter where it may be held.

I have been active in the Interparliamentary Union for a number of years. The first conference I attended was at Stockholm, Sweden, in 1921, and I was chosen one of the delegates at that time from the House of Representatives by the then Senator from Illinois, Mr. McKinley, who was the president of the Interparliamentary Union.

Later an able Ohio statesman, one who distinguished himself in the House of Representatives and in the Senate for a number of years, Hon. Theodore Burton, became the president of the Interparliamentary Union, and I was included in the delegation which was selected by him.

Later a very distinguished statesman from Virginia, former Governor Montague, for nearly a quarter of a century a member of the House of Representatives, became the head of the American group, and I went as a delegate then. When he retired I was chosen by the members who had taken an interest in the activities of the Interparliamentary Union as the president of the American group. When I retired a year ago I did so with the expectation that I would not ever again head this organization, and I had no interest in doing so, and no desire to do so. But, as I stated a while ago in reply to a question of the Senator from Michigan, in my absence and against my own judgment the American group, largely attended by Members of the House of Representatives, not many Senators being present, selected me again as the head of the group.

I feel it my duty to defend the organization, and not merely as an obligation, but because of my experience with it. It is true that the delegates who go to the meetings are not authorized by the American Government to bind the United States in anything; and that is well. This is an organization that was founded for the purpose of bringing about arbitration and the settlement of disputes by peaceful methods rather than by the sword, and the mere fact that it has not always succeeded in so doing is no argument against the effort it has made.

I may say that the first and second Hague conferences called by the Czar of Russia were very largely due to the activities of the Interparliamentary Union. The conference which was called by Theodore Roosevelt, President of the United States, to settle the war between Russia and Japan, was called on the recommendation and at the request of the Interparliamentary Union; and as a result of that conference, held in the city of Portsmouth, N. H., the war between Russia and Japan was brought to a conclusion.

It is true, as we all know, and as the Senator from Arizona [Mr. ASHURST] has so eloquently said—and he can say the most commonplace things eloquently; if he ever says commonplace things, which he rarely does, he always

clothes them with the choicest diction—that all over the world the parliamentary system is under attack from more sources than ever before in the last century. The question now is whether we shall succumb to the attack; whether we are willing to say that we no longer believe in making an effort to maintain the parliamentary system, and that we are not willing to spend \$20,000 a year in order that our influence may be brought to bear upon the nations of the world.

Of course, if there is a conference held this year it may probably not be held in Europe, and probably will not be, but there are yet peaceful nations and peaceful locations in the world where such a conference can be held and can do much good. It might be held, as the Senator from North Dakota [Mr. FRAZIER] said a moment ago, in Washington. It might even be held in Ottawa. It might be held in some South American country. It might be held in a peaceful European country. There are still some democracies left in Europe. There are Belgium, Holland, Norway, Sweden, and I hope Finland.

At the last conference I attended, which was held 2 years ago, delegates were present from Italy, delegates from Spain, from practically every other country in Europe except Germany and Russia. The reason delegates were not in attendance from Germany and Europe was that parliament had been abolished in those two countries.

Are we now willing to say that because those in control in two or three countries in Europe have succeeded in abolishing legislatures, because in those countries the voice of the people is no longer heard, and because they have ruthlessly invaded democracies which were adjacent to them, that we are no longer interested in the preservation of the parliamentary system? The preservation of the parliamentary system is really more important than even a temporary peace that might be patched up between warring nations.

Parliaments represent democracy, and the parliamentary theory of government represents the democratic theory. It is true that at these conferences different languages are spoken, and interpreters have to be employed in order to interpret the speeches made by representatives of different nations, but everyone knows that that is true with respect to every international conference that has ever been held or ever will be held.

When the present war is over and Germany, Russia, Finland, England, France, Poland, Czechoslovakia, and all the others meet to settle the terms of peace, different languages will be spoken—German, French, Italian—if representatives of those nations should finally get together in such a conference. The Polish language will be spoken, and English will be spoken. There will have to be interpreters to interpret the speeches made by the representatives of the various delegations. That is no argument against this appropriation. It is certainly no valid argument against the holding of these conferences in which representatives of various countries, speaking different languages, meet together. Is it to be seriously contended that because all the delegates cannot understand all the languages which are spoken there, they ought not to meet?

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. AUSTIN. The remarks of the Senator from Kentucky lead me to ask a question, Is it true that the organization under discussion is a bureau of the Department of State?

Mr. BARKLEY. No; it is not a bureau of the Department of State. The Interparliamentary Union, I will say, has been made up of delegates from 40 or 50 nations, and they maintain a bureau in Geneva, Switzerland. It has no connection with the League of Nations, but it is maintained there because Geneva is a convenient place in a neutral country. There are expenses necessary to maintain that bureau, year by year, permanently. The secretary of it has been the secretary for the last 15 or 20 years to my certain knowledge.

I will say to the Senator from Vermont that during the entire period of the World War the Interparliamentary Bureau was maintained. There was no conference of the Interparliamentary Union until the war was over, but during the entire 4 years of the existence of the World War, the bureau was maintained, and we made an appropriation of \$10,000 a year to that bureau. Immediately after the war ended a conference was held in a European capital, and there has been one held every year since. The bureau is a permanent organization.

Mr. AUSTIN. Will the Senator yield for a further question?

Mr. BARKLEY. I yield.

Mr. AUSTIN. Has this bureau been in continuous existence for 50 years?

Mr. BARKLEY. Yes.

Mr. AUSTIN. May I ask further if there are archives and records of the activities of the Union throughout its 50 years of existence?

Mr. BARKLEY. There are. Records have been kept of the discussions. A stenographic report is made of every speech, of every resolution, of every motion, just as in any other conference, economic or political, that may be held, at which delegates from different nations assemble. There has been a continuous record kept of the conferences.

Mr. AUSTIN. Will the Senator yield further?

Mr. BARKLEY. I yield.

Mr. AUSTIN. I wish to ask in particular about the representation in that bureau of the United States of America. Has it archives and records showing its contribution to the common action in the bureau?

Mr. BARKLEY. It has. We have a permanent secretary of the American group, who happens to be Dr. A. D. Call, who is the secretary also of the American Peace Society, an old organization in this country. Because of his knowledge of world conditions and his connection with this and other associations, he has been for years the secretary of the American group, and he keeps records of all we do, all we recommend, and all activities, all correspondence, and all resolutions. He keeps in close touch with the general bureau which is maintained in Geneva, and arranges with them for the various activities of the American group when the conferences are in progress and before.

Mr. AUSTIN. Mr. President, will the Senator yield further?

Mr. BARKLEY. I yield.

Mr. AUSTIN. I wish to know, if the amendment should be agreed to by the Senate, would all that activity and the preservation and protection of those records be abandoned?

Mr. BARKLEY. I think so. I will say to the Senator there would be no appropriation out of which the secretary of the American group could be employed, and there would be no appropriation out of which we could make our contribution to the preservation of these records as they exist in the general office at Geneva.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. LODGE. Is it not true that these records would not be abandoned; that they would be put into the Library of Congress for safekeeping?

Mr. BARKLEY. I suppose they might be placed somewhere for safekeeping, but the continuity of the records would be broken into, of course, and there would be no one in the United States charged with any responsibility, or who could afford to keep up the activity, unless we were willing to make this modest appropriation to carry on the work.

Mr. AUSTIN. Mr. President, will the Senator again yield?

Mr. BARKLEY. I yield.

Mr. AUSTIN. Then, is it true that agreeing to the amendment is the most effective way of completely terminating this activity, in which our country has cooperated for 50 years?

Mr. BARKLEY. Undoubtedly.

Mr. President, I hope the amendment will be defeated.

Mr. HALE. Mr. President, I am not a member of the subcommittee of the Committee on Appropriations which handled

this matter. However, I did vote in the committee in favor of the majority action that was taken.

I have never had any faith in the usefulness of the Interparliamentary Union. In spite of what has been said today, I personally do not think it has ever brought about any concrete results that were of any particular benefit.

In any event, in spite of what the Senator from Kentucky has said, and in spite of what the Senator from North Dakota has said, I do not think there is much probability that any meeting of the union will be held this year.

This action on the part of the committee represents in part what the committee has been trying to do, and that is to cut down the appropriations for the next fiscal year. It is interesting to know whether the Senate is in favor of such action on their part, and this is a very good opportunity to try out the question. I hope very much that the Senate will sustain the committee in what it has done.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HALE. I yield.

Mr. BARKLEY. The Senate has given ample proof of its willingness to stand by the committee, and stand by its own convictions, and stand by the necessity for reducing expenditures; and I, myself, have indicated my own willingness to do so by voting to reduce appropriations as they have been reduced by the bills which have been reported by the Committee on Appropriations. But the Senate should be accorded the right now and then to have its own views—certainly about an insignificant item such as this. I wish to be able to continue to cooperate with the Committee on Appropriations in reducing appropriations, and I intend to do so, but certainly we are not obligated in every instance, without reference to the amount or the cause involved, to sustain the Appropriations Committee merely because it has made a certain recommendation.

Mr. HALE. I think in this particular instance no case has been made showing the usefulness of the appropriation.

Mr. President, the Senator from Kentucky [Mr. BARKLEY] has referred to the fact that the House had the right to choose the head of the American group, but turned that privilege over to the Senate.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HALE. I yield.

Mr. BARKLEY. The Senator is not quite correct. They made their own choice, but chose a Member of the Senate instead of a Member of the House.

Mr. HALE. Mr. President, I am wondering whether or not the reason for doing so was that the Senator, who is very popular in this body, and who is the majority leader of this body, could make a better case than any other Member of this body for putting the legislation through. I am wondering whether or not that is the reason why the Senator was chosen, aside from his sterling qualities.

Mr. BARKLEY. If the Senator wishes a categorical answer the answer is distinctly "No." We have never had any trouble in getting this appropriation through the Senate. It is the House that has heretofore hesitated about it.

Mr. HALE. But, Mr. President, the House having passed it this time, I think it was desired to make assurance double sure.

Mr. BARKLEY. I will say to the Senator that that element had no influence whatever. It was not even thought of, because no Member of the Senate or the House suspected that there would be any effort to eliminate the appropriation. The question of who should be the head of the American group did not enter into consideration at all. I do not wish to enter into that phase of the matter because, as I said, I did not want the position. I had served my time, and I felt that a Member of the House ought to have it, and so stated. I did not even attend the meeting at which I was chosen; but, having been chosen, I accept my responsibilities.

Mr. HALE. I do not mean to intimate that the Senator had anything to do with such plan; but I thought that some such idea may have occurred to the Members of the House concerned.

Mr. BARKLEY. The Senator is mistaken.

Mr. AUSTIN. Mr. President, I have only a word to say. As my interrogatories imply, I favor this appropriation; and, if necessary, I should favor a larger one, especially at this time, when all the world is in turmoil, and when everybody is on his knees praying for an ultimate peace that will be not merely a cessation of hostilities.

If this great country, the United States of America, is now to say to the world, in the crisis in which the world is suffering, that it is so cheap and small that it will discontinue the only service that a parliamentary body of this country has been rendering toward universal peace, merely because it costs \$20,000, I want to cast my vote against such action and raise my voice in protest.

Mr. President, I believe there is a future for the world, not far away, which will be upon a higher plane of international relationship than any we have had before. As I harken back and hear history, speaking with venerable accent, I observe that civilization has moved along on a certain level for a time, then taken a plunge downward, and then surged upward to a still higher level. That course has been repeated throughout all time. We are now living in one of the depressions. We have dipped down, and I hope we have reached the bottom of the depression. I expect that we shall rise above the level upon which we previously lived. I look for a time—perhaps not in my lifetime but in the history of the world—when peace will depend upon the nations of the world exercising self-discipline, as men do, and avoiding the causes of conflict.

Certainly I want my country to stand for such sacrifices and such expenditures as it can well afford toward the ideal, toward perfection. We may never attain perfection, but we shall never make any progress unless we aim at perfection. This is a small contribution toward that end. If we can promote friendly and understanding relations with other parliamentary countries, if we can give them moral support and aid, and if we can take from them like help for our own consideration, we shall have done something toward reaching that ideal of relations among the nations of the earth.

When learned Senators rise and say that one cannot point to any definite benefit which has come from the Interparliamentary Union, I am a little inclined to believe that the essential facts are being ignored. As I have traveled about the world in different countries I have observed that relationships between governments depend somewhat upon the friendship of the nationals of those governments, and that if cordial relations exist between peoples it is easier to obtain accord between governments.

I favor the Interparliamentary Union. I hope it will be continued. I certainly should regret its being cut off for the consideration of \$20,000 in the name of economy. I am for economy, but I mean to be for real economy. I do not think it is economy to do something which will discontinue an effort of this character, which has been proceeding for 50 years. If the Congress means only to suspend the activities of the Union for a time, I should like to see it provided with sufficient funds to take care of the permanent records, which show our relation to the Union for 50 years.

Mr. McKELLAR. Mr. President, just a word before we vote. It is true that this is a very small matter; but anyone who has served on the committee, and even those who have not served, must know what a tremendous pressure there is whenever the doctrine of economy is set up by the Appropriations Committee of either House. We have appeals to us from the bureaus and from the departments, and from all those who are interested in one way or another in the bureaus or departments; and it is a gigantic task to undertake to cut down appropriations. Anyone who has not tried it ought to try it once to see what a tremendous task it is.

The President has recommended a reduction of some \$850,000,000 this year. The House and the Senate have been trying to aid those reductions. The President recognized the possible need for additional taxes of \$450,000,000 or \$460,000,000. The House and the Senate are both striving to reduce expenditures in order to avoid the imposition of further taxes on the people.

While the item under consideration is a small matter, it goes to the very life of what our committee is trying to do. We are trying to economize. We have economized in this bill. We are trying to cut down the appropriations in this bill. We have tried to cut down the appropriations in each of the bills before us. When we come to an item in which the Senate is interested, if we say, "We are in favor of economy when it comes to cutting down the bureaus and departments, but we are not in favor of economy when it comes to cutting off a junketing trip for Senators," in what sort of attitude are we placed? In my opinion, we are placed in a very awkward, embarrassing, and difficult situation.

It is true that the item under consideration is a small matter; but it brings up the whole question of economy and what we are going to do about economy. Under those circumstances the committee has eliminated this item. Ordinarily it would not make any difference; but at this particular time, when we are striving in every way to cut down appropriations so as to avoid the imposition of additional taxes on the people, it seems to me we ought to stand by the committee.

I hope the Senate will stand by the Appropriations Committee in its honest, earnest, and vigorous endeavor to bring about greater economy, and to avoid taxation.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. BARKLEY. The Senator knows that the President did not eliminate this small appropriation from his Budget.

Mr. McKELLAR. Oh, no. The President could not be expected to go through all the items and hunt out this item and that item and eliminate it from the Budget. No; the President did not do it. I will say to the Senator from Kentucky that innumerable items which the President had recommended have been eliminated or cut down. That is not the question. I have no doubt that the President would be opposed to this item at this particular time if we could have his views on the subject.

Nearly the whole world is at war, directly or indirectly, and we are talking about having a conference of a union over in Europe, right in the heart of the war zone. I doubt whether any Senator would want to go there under the circumstances. There is no reason in the world why we should not economize even in this small matter. It is not the amount of the economy which is involved, it is the principle which is involved. We can strike out this item and put back some other item, if that is what we want to do. Whenever any Senator is interested in an item, or any particular bureau or department is interested in an item, we should not say "Restore the item. Force it upon the House. Make the House take it whether it wants to or not. Make the Government pay whether it wants to or not. Let us not economize. If anything pertains to us as a legislative body, directly or indirectly, hold it in at all costs. It makes no difference about economy. It makes no difference about taxation. Hold it in! Hold it in!"

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. BARKLEY. There is no element of forcing something on the House. The House included this appropriation in the bill. All I am asking the Senate to do is to stand by the House, not because we are trying to put something over on the House.

Mr. McKELLAR. Oh, no!

Mr. BARKLEY. The Senator intimated that we were trying to put something over on the House.

Mr. McKELLAR. No; I intimated nothing of the kind.

Mr. BARKLEY. The Senator intimated that if we should vote to restore this appropriation we would serve notice on the country that we are going to restore all appropriations.

Mr. McKELLAR. We would serve notice to the country that when any individual Senator is interested in an appropriation, however small, if it be merely \$10,000, we would leave it in the bill, and economy would be "gone with the wind." Taxation, yes—put it on—but if any Senator is interested in an appropriation, or if the Senate, as a body, is interested, put it in or keep it in. I do not think we ought to

legislate in that way. I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee on page 18, line 1, on which the yeas and nays are demanded.

The yeas and nays were ordered.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll and the following Senators answered to their names:

Adams	Clark, Mo.	Johnson, Calif.	Reed
Ashurst	Connally	Johnson, Colo.	Reynolds
Austin	Danaher	King	Russell
Bailey	Davis	La Follette	Schwartz
Bankhead	Ellender	Lee	Schwellenbach
Barbour	Frazier	Lodge	Sheppard
Barkley	George	Lucas	Smith
Bilbo	Gibson	McCarran	Stewart
Bridges	Glass	McKellar	Taft
Brown	Green	McNary	Thomas, Idaho
Bulow	Guffey	Maloney	Thomas, Okla.
Byrd	Gurney	Mead	Thomas, Utah
Byrnes	Hale	Minton	Tobey
Capper	Hatch	Murray	Townsend
Caraway	Hayden	Neely	Truman
Chandler	Herring	Norris	Van Nuys
Chavez	Hill	Overton	Walsh
Clark, Idaho	Holt	Pepper	Wiley

The PRESIDING OFFICER. Seventy-two Senators having answered to their names, a quorum is present. The question is on the amendment reported by the Committee on Appropriations, on page 18, beginning in line 1. On that amendment the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. GLASS (when his name was called). I transfer my general pair with the senior Senator from Minnesota [Mr. SHIPSTEAD] to the senior Senator from Maryland [Mr. TYDINGS] and will vote. I vote "yea."

Mr. STEWART (when his name was called). I have a pair with the junior Senator from Oregon [Mr. HOLMAN]. If he were present, I understand he would vote as I intend to vote. Therefore I am at liberty to vote and vote "yea."

The roll call was concluded.

Mr. McNARY (after having voted in the negative). I am reminded I have a pair with the senior Senator from Mississippi [Mr. HARRISON], who is unavoidably absent. I transfer my pair with him to the junior Senator from North Dakota [Mr. NYE] and permit my vote to stand.

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from New Jersey [Mr. SMATHERS] are absent from the Senate because of illness.

The Senator from Nebraska [Mr. BURKE], the Senator from California [Mr. DOWNEY], the Senator from Rhode Island [Mr. GERRY], the Senator from Minnesota [Mr. LUNDEEN], the Senator from Arkansas [Mr. MILLER], the Senator from Maryland [Mr. RADCLIFFE], the Senator from Illinois [Mr. SLATTERY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Montana [Mr. WHEELER] are detained on important public business.

The Senator from Iowa [Mr. GILLETTE], the Senator from Mississippi [Mr. HARRISON], the Senator from Arizona [Mr. HAYDEN], and the Senator from Montana [Mr. MURRAY] are detained in committee meetings.

The Senator from Ohio [Mr. DONAHEY], the Senator from Delaware [Mr. HUGHES], and the Senator from Nevada [Mr. PITTMAN] are absent on official business.

The Senator from Maryland [Mr. TYDINGS] and the Senator from New York [Mr. WAGNER] are unavoidably detained.

The result was announced—yeas 43, nays 27, as follows:

YEAS—43

Adams	Chavez	Johnson, Calif.	Russell
Bailey	Clark, Mo.	King	Schwellenbach
Bankhead	Danaher	Lodge	Smith
Barbour	Ellender	Lucas	Stewart
Bridges	George	McCarran	Taft
Brown	Glass	McKellar	Thomas, Idaho
Bulow	Green	Maloney	Tobey
Byrd	Gurney	Norris	Townsend
Byrnes	Hale	Overton	Truman
Capper	Hatch	Reed	Walsh
Caraway	Holt	Reynolds	

NAYS—27

Ashurst	Davis	La Follette	Schwartz
Austin	Frazier	Lee	Sheppard
Barkley	Gibson	McNary	Thomas, Okla.
Bilbo	Guffey	Mead	Thomas, Utah
Chandler	Herring	Minton	Van Nuys
Clark, Idaho	Hill	Neely	Wiley
Connally	Johnson, Colo.	Pepper	

NOT VOTING—26

Andrews	Harrison	Nye	Tydings
Bone	Hayden	O'Mahoney	Vandenberg
Burke	Holman	Pittman	Wagner
Donahay	Hughes	Radcliffe	Wheeler
Downey	Lundeen	Shipstead	White
Gerry	Miller	Slattery	
Gillette	Murray	Smathers	

So the amendment of the committee was agreed to.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next amendment of the Committee on Appropriations was, on page 20, line 16, after the word "exceed," to strike out "\$5,901" and insert "\$10,000"; on page 21, line 2, after the word "be," to strike out "necessary" and insert "authorized by the Secretary of State"; and in line 13, after the words "in all," to strike out "\$1,093,000" and insert "\$1,073,000," so as to read:

For payment of the annual contributions, quotas, and expenses, including loss by exchange in discharge of the obligations of the United States in connection with international commissions, congresses, bureaus, and other objects, in not to exceed the respective amounts, as follows: Cape Spatel and Tangier Light, Coast of Morocco, \$1,176; International Bureau of Weights and Measures, \$4,342.50; International Bureau of Publication of Customs Tariffs, \$1,318.77; Pan American Union, \$239,458.70, including not to exceed \$20,000 for printing and binding; International Bureau of Permanent Court of Arbitration, \$1,722.57; International Institute of Agriculture at Rome, Italy, \$48,756, including not to exceed \$11,700 for the salary of the American member of the permanent committee (at not more than \$7,500 per annum), compensation of subordinate employees without regard to the Classification Act of 1923, as amended, expenses for the maintenance of the office at Rome, including purchase of necessary books, maps, documents, and newspapers and periodicals (foreign and domestic), printing and binding, allowances for living quarters, including heat, fuel, and light, as authorized by the act approved June 26, 1930 (5 U. S. C. 118a), for the use of the American member of the permanent committee, and traveling and other necessary expenses, to be expended under the direction of the Secretary of State; Pan American Sanitary Bureau, \$58,522.75; International Office of Public Health, \$3,015.63; Bureau of International Telecommunication Union, Radio Section, \$5,790; Inter-American Radio Office, \$3,655; Government of Panama, \$430,000; International Hydrographic Bureau, \$5,404; Inter-American Trade-Mark Bureau, \$14,330.20; International Bureau for Protection of Industrial Property, \$1,471.63; Gorgas Memorial Laboratory, \$50,000; *Provided*, That hereafter, notwithstanding the provisions of section 3 of the act of May 7, 1928 (45 Stat. 491), the report of the operation and work of the laboratory, including the statement of the receipts and expenditures, shall be made to Congress during the first week of each regular session thereof, such a report to cover a fiscal year period ending on June 30 of the calendar year immediately preceding the convening of each such session; American International Institute for the Protection of Childhood, \$2,000; International Statistical Bureau at The Hague, \$2,000; International Map of the World on the Millionth Scale, \$50; International Technical Committee of Aerial Legal Experts, \$6,745, including not to exceed \$5,500 for the expenses of participation by the Government of the United States in the meetings of the International Technical Committee of Aerial Legal Experts and of the commissions established by that committee, including traveling expenses, personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended, stenographic and other services by contract if deemed necessary without regard to the provisions of section 3709 of the Revised Statutes (41 U. S. C. 5), rent, purchase of necessary books and documents, printing and binding, official cards, entertainment, and such other expenses as may be authorized by the Secretary of State; Convention Relating to Liquor Traffic in Africa, \$55; International Penal and Penitentiary Commission, \$4,332, including not to exceed \$800 for the necessary expenses of the Commissioner to represent the United States on the Commission at its annual meetings, personal services without regard to the Classification Act of 1923, as amended, printing and binding, traveling expenses, and such other expenses as the Secretary of State may deem necessary; Permanent Association of International Road Congresses, \$588; International Labor Organization, \$163,511.64, including not to exceed \$10,000 for the expenses of participation by the United States in the meetings of the General Conference and of the Governing Body of the International Labor Office and in such regional, industrial, or other special meetings as may be duly called by such Governing Body, including personal services, in the District of Columbia and elsewhere, rent, traveling expenses, purchase of books, documents, newspapers, periodicals, and charts, stationery, official cards, printing and binding, hire, maintenance, and operation of motor-

propelled passenger-carrying vehicles, and such other expenses as may be authorized by the Secretary of State; Implementing the Narcotics Convention of 1931, \$10,551.85; International Council of Scientific Unions and Associated Unions, as follows: International Council of Scientific Unions, \$19.30; International Astronomical Union, \$617.60; International Union of Chemistry, \$675; International Union of Geodesy and Geophysics, \$2,316; International Scientific Radio Union, \$232.40; International Union of Physics, \$62.72; International Geographical Union, \$125.44; and International Union of Biological Sciences, \$154.40; in all, \$4,202.86; and Pan American Institute of Geography and History, \$10,000; in all, \$1,073,000, together with such additional sums, due to increase in rates of exchange, as the Secretary of State may determine and certify to the Secretary of the Treasury to be necessary to pay, in foreign currencies, the quotas and contributions required by the several treaties, conventions, or laws establishing the amount of the obligation.

The amendment was agreed to.

The next amendment was, under the subhead "International Boundary Commission, United States and Mexico," at the top of page 26, to insert:

Fence construction on the international boundary: For construction of fence along the international boundary as authorized by the act of August 19, 1935 (49 Stat. 660), \$25,000: *Provided*, That no part of this appropriation shall be expended for the acquisition of lands or easements for sites for boundary fences except for procurement of abstracts or certificates of title, payment of recording fees, and examination of titles.

The amendment was agreed to.

The next amendment was, under the subhead "Cooperation with the American Republics," on page 30, line 23, after the word "periodicals", to strike out "\$155,550" and insert "\$120,500"; and on page 31, line 3, after the word "respectively" and the colon, to strike out "Department of Agriculture, for the Office of Foreign Agricultural Relations, \$35,000", so as to read:

Salaries and expenses: For all expenses necessary to enable the Secretary of State to carry out the purposes of the act entitled "An act to authorize the President to render closer and more effective the relationship between the American Republics," approved August 9, 1939, and to supplement appropriations available for carrying out other provisions of law authorizing related activities, including personal services in the District of Columbia; not to exceed \$45,000 for printing and binding; stenographic reporting, translating, and other services by contract, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); expenses of attendance at meetings or conventions of societies and associations concerned with the furtherance of the purposes hereof; hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; and purchase of books of reference and periodicals \$120,500; and the Secretary of State is hereby authorized, subject to the approval of the President, to transfer to other departments, agencies, and independent establishments of the Government for expenditure in the United States and in the other American Republics not exceeding the following amounts, respectively: Civil Aeronautics Authority, \$2,500; Department of Commerce, for the Coast and Geodetic Survey, \$15,000; Federal Security Agency for the Public Health Service, including not to exceed two additional regular active commissioned officers, \$25,000, and the Office of Education, \$10,000; Department of the Interior, for the Office of the Secretary, \$18,000, and the Bureau of Fisheries, \$10,000.

The amendment was agreed to.

The next amendment was, on page 32, line 3, after the word "Department", to insert "or Federal Works Agency", so as to read:

The President, in his discretion, may assign officers of the Army or Navy or officers or employees of the Treasury Department or Federal Works Agency for duty as inspectors of buildings owned or occupied by the United States in foreign countries, or as inspectors or supervisors of buildings under construction or repair by or for the United States in foreign countries, under the jurisdiction of the Department of State, or for duty as couriers of the Department of State, and when so assigned they may receive the same traveling expenses as are authorized for officers of the Foreign Service, payable from the applicable appropriations of the Department of State.

The amendment was agreed to.

The next amendment was, under the heading "Title II—Department of Commerce—Office of the Secretary", on page 33, line 2, after the word "Department", to strike out "\$384,500" and insert "\$546,500", so as to read:

Salaries: Secretary of Commerce, Under Secretary of Commerce, Assistant Secretary, and other personal services in the District of Columbia, including the Chief Clerk and Superintendent, who shall be chief executive officer of the Department and who may be designated by the Secretary of Commerce to sign minor routine official

papers and documents during the temporary absence of the Secretary, the Under Secretary, and the Assistant Secretary of the Department, \$546,500.

Mr. LODGE. Mr. President, I rise in opposition to the committee amendment on line 2, at the top of page 33, to increase the House figure by \$162,000. It is my understanding that the able chairman of the subcommittee, my good friend the Senator from Tennessee [Mr. McKellar], will offer an amendment to earmark this increase for the personal services of experts and specialists in the Department of Commerce. Consequently I wish to discuss the increase on that assumption.

This is an increase of \$162,000 to pay the salaries of 20 or more so-called business experts and specialists in the Department of Commerce. This item was put in last year, the argument being made at that time that the Secretary of Commerce would take out of business and the professions men who had been very successful, and that these men could do what civil-service employees could not do; namely, stimulate employment and perfect schemes for improving our economic system.

If Senators will glance at the record of the hearings beginning on page 159, I think they will agree with me that these experts really have accomplished nothing. All of us on the subcommittee made repeated inquiries of Dr. Thorp, of the Department of Commerce, who defended this item, trying to find out what the results of their labors have been. If Senators will look on page 159, they will see that Dr. Thorp said:

I think it is hard to indicate just what specific results have been accomplished, because in the first place while we were given the money as of the 1st of last July, it took some time to assemble the staff.

On page 162, the Senator from Nevada [Mr. McCarran] will be seen to have asked this question:

What beneficial result has flown from what you have described to us?

Dr. THORP. I do not think there is a beneficial result that applies as of the present moment.

Look again on page 163. After Dr. Thorp had described some of the studies these men had made, the Senator from South Carolina [Mr. Byrnes] said:

I wish you would send us sample copies of the reports which you issue. I should like to see them.

But the volume of hearings contains no sample of this work. Altogether, there are only two things which these men have done. One is to initiate a certain amount of statistical work on inventory change. The other is to send up a man to represent the Department of Commerce before the meetings of the Temporary National Economic Committee. I think I am not far wrong when I say that the Temporary National Economic Committee—which, I am sure, is doing excellent work—has one of the largest appropriations any special committee has ever had, that it ought to be able to get along with the staff it has, and that if the Committee needs further assistance we can appropriate for that purpose. We do not need to appropriate \$162,000 for a number of supposedly non-civil-service experts.

I desire to give one last illustration of the fruitless nature of the effort which has been made by these men.

On page 164 the Senator from Tennessee [Mr. McKellar] says:

I think the most important thing you have is special promotion of Latin-American trade. There ought to be something concrete from that activity. What have you done?

Dr. THORP. We cannot point definitely to orders that have been obtained by the two men who have been working at it. We can count, however, on things like this: A conference was held with the steamship people and the travel agencies to develop certain of the difficulties in the way of American tourist travel to Latin America. Those questions have been taken up with the representatives of the foreign countries. They are mostly matters of red tape.

Senator LODGE. Why are not matters of red tape a pure State Department function? What is the State Department for if it is not for that?

Dr. THORP. I suppose it could be handled through the State Department, except that it is not a matter which necessarily needs to go through all the formalities of diplomatic processes.

Senator LODGE. The State Department handles many things that do not go through the formality of diplomatic processes.

Dr. THORP. Our interest in it was to cut through and see if we could get something done quickly.

Senator LODGE. You do not mean to say that the State Department does not want to cut through and get things done?

Dr. THORP. No. I certainly do not want to leave that impression.

I give that example to show that this thing is a fifth wheel. It is simply a duplication of all sorts of functions that are being performed either by the State Department or by the standing bureaus of the Department of Commerce with the very able staff which I think they already have there. The only justification, if there is one, for this appropriation—which was so wisely stricken out in the House—is that there is some possibility in the future that these men will accomplish something; in other words, that they have some prospect of doing so. In order to decide that question, in order to decide whether there is any possibility that they ever will accomplish something, I think we ought to look at the fundamental nature of the problem.

During the meeting of our Committee, both the Senator from Tennessee and the Senator from South Carolina and myself dwelt on the tremendous importance of getting some of this trade in Latin America, particularly getting the development in manufactured goods which hitherto had been the province of German trade. We all agreed that the problem of South America is a problem of having them produce something that we want and do not produce; but as long as they compete with us in the production of cattle and in the production of cotton and in the production of other agricultural products which we also produce, we cannot possibly hope to make a real, substantial expansion of our export trade in manufactured goods. In other words, the desirable thing would be to see a production of rubber in South America, a production of tin in South America, an increased production of coffee in South America, of those things which we need and do not ourselves produce. That would increase our trade; but, Mr. President, just a glance at that proposition shows how absolutely absurd it is to think that by getting a group of high-pressure business executives down here for a few days we can really make a dent in that problem. It involves fundamental factors which are entirely beyond the reach of any governmental bureau.

I think these men are superfluous. It is another case of the secretary to the secretary to the assistant secretary who is on civil service to the expert who is not on civil service. We have so many wheels within wheels going on downtown that it is practically impossible to understand what they are all doing; and if Senators read this record even more carefully than I have given it to them, they will see that these men must be constantly getting in each other's way.

Of course, a good deal was made of the fact that these men had turned down big salaries in business in order to come here and work for Uncle Sam; that they were really "dollar-a-year men." I shall not go into that subject. I find that there are only 3 dollar-a-year men out of the 22 or 23 who are on the list. The idea was that they would just come in for 6 months, because we could not get really able businessmen to come down here for a longer time than that. Well, it will be seen in the hearings that with one exception none of them have agreed to leave at any time. I think you, Mr. President, who have been Governor of a State [Mr. CHANDLER in the chair], and others here on the Senate floor who have had experience in government, know that there are very, very few men who willingly leave a governmental office. It may be that this is a very, very patriotic, self-sacrificing activity on their behalf. It may be that they are losing \$25,000 a year in some corporation in order to come here and work for \$9,000. Perhaps that is so; but I doubt if there are on this list the names of very many men who are exceedingly anxious to get out of Washington. I think they like it here; I think they hope to stay here; and I say to you in conclusion that if we are going to have economy, this is one place where we can do it. We can do it without

impairing the public service. We can do it without depriving the American people of any results or benefits that they are now getting. We can do it without the slightest hardship to any of the men who are on this list, because they are all, in the language of the street, what might be called big shots. They can all go back to their homes, and they will not starve.

I very much hope the committee amendment will not be agreed to.

Mr. McKELLAR. Mr. President, I dislike to oppose the suggestion of my distinguished friend the Senator from Massachusetts [Mr. LODGE]. I have served on the Committee on Appropriations for a number of years—about a fifth of a century—and I look upon the Senator from Massachusetts as one of the most excellent members of that committee, without regard to politics of any kind.

With respect to the item now under discussion, it is an increase of \$162,000. I remind the Senate that last year the Secretary of Commerce came before the committee and secured an appropriation of about the same sum for the purpose primarily of increasing our Latin-American trade. He wanted business experts; and I have no doubt, considering the evidence, that for the most part he has secured business experts for the important places.

When he came before our committee he did not know that the war now in progress would be started and would give us the remarkable opportunity we now have to get a large part of the South American trade. We have a splendid opportunity to secure some of that trade. As everyone knows, Great Britain, Germany, Japan, and Italy are our principal competitors for what is known as South American trade. It is well known that Germany is out of the picture at this time because of being engaged in war, as is Great Britain to a lesser degree. Japan, also being engaged in war, is not so much in the picture as she previously was. Italy, for fear she might get into war, is not as active in South America, perhaps, as formerly.

There never was such an opportunity for our country to build up its trade with South America as we now have. Concrete instances were given of improvement in our trade, in one case there being an increase of \$162,000 in one industry. In my judgment, the opportunity is ours, and I urged the officers of the Department of Commerce to bend their efforts solely to the retention of this trade in South America while we have the opportunity to hold it.

I doubt whether I would vote for such an item another year if all nations should be at peace. It may be that it should be discontinued next year; I think I would vote for its discontinuance after we had accomplished what we desired—that is, to increase our trade with South America. I happened to be in South America a year or two ago, and I know something about the possibilities. I believe it would be enormously beneficial for our Government to undertake to secure as much of the trade of South America as it is possible to secure. We have tried to be economical, and I doubt whether a bill ever reported to this body has shown greater economy than is exhibited in the particular bill now pending.

We are not asking the Senate to act on something that has been going on for 50 years, something from which we have never been able to see any results, but this appropriation is proposed in an effort to improve what has been going on for about 8 months only. Let us give it a show in the interest of our country, and in the interest of the trade of our country.

It was for these reasons that the committee put this item in the bill, and I think it should be kept in the bill and I ask my colleagues to let it remain in the bill. I hope the amendment of the committee will be agreed to.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. McNARY. I think the Senator has on his desk a provision of limitation.

Mr. McKELLAR. I have.

Mr. McNARY. What effect would that have upon the bare amendment offered by the able Senator from Massachusetts? What would it do?

Mr. McKELLAR. As I understand, the Senator from Massachusetts desires to restore the House figures by striking out the Senate committee figures.

Mr. McNARY. If that should be accomplished, what would be the effect of the Senator's proposed limitation?

Mr. McKELLAR. There would be nothing in the limitation, if that were accomplished, because it would not be necessary. The limitation went out on a point of order in the House. I believe the House would have kept this item in the bill and this amount of money in the bill, but in the House the item went out on a point of order. I wish to read the proviso at this point. It comes immediately after the "\$546,500."

Provided, That not to exceed \$100,000 of this appropriation shall be available for expenditure by the Secretary of Commerce for personal services of experts and specialists at rates of compensation not in excess of \$9,000 per annum without regard to the civil-service laws and regulations or the Classification Act of 1923, as amended.

Then I proceed to the next proviso, which is a part of this item, and which the committee has authorized me to offer as a committee amendment on the floor. I will speak of the first proviso for just a moment.

The reason for the proviso that appointments may be made without regard to the civil-service laws and regulations or the Classification Act is that it was desired by the Secretary of Commerce to get practical businessmen, so far as possible, to carry out the purpose he has in view, so that the United States might secure a greater portion of the South American trade. Now I read the second proviso:

Provided further, That no part of the said \$100,000 shall be used for the payment of any person hereafter appointed at a salary of \$5,000 per annum or more unless such person is appointed by the President, by and with the advice of the Senate.

If the Senate committee amendment shall be agreed to, I shall offer that amendment on behalf of the committee.

Mr. GILLETTE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from Tennessee yield to the Senator from Iowa?

Mr. McKELLAR. I yield.

Mr. GILLETTE. As I understood the Senator, the amendment he proposes to offer—and I tried to follow it in the text—is identical with the limitation amendment proposed in the House of Representatives. Is that true?

Mr. McKELLAR. The first part of the amendment is identical with that which went out on a point of order in the other House. The second part of the amendment, which provides that "no part of the said \$100,000 shall be used for the payment of any person hereafter appointed at a salary of \$5,000 per annum or more unless such person is appointed by the President, by and with the advice and consent of the Senate," is an addition by the Senate committee.

Mr. GILLETTE. If this amendment should be agreed to, what limitation would there be, or what suggestion would there be in the law to limit the employment of these experts and specialists to those who, it is contemplated, will build up our South American or Central American trade? I call attention to the language, which authorizes the use of the amount of money specified "for personal services of experts and specialists" at not to exceed \$9,000 a year. What would they be: trade specialists, political specialists, party specialists? What is the purpose, or what is the limitation?

Mr. McKELLAR. I shall be glad to read from the testimony, which I think will answer the Senator.

Mr. GILLETTE. It may clear it up, but I am asking about the language in the bill. What limitation is there in the proposal?

Mr. McKELLAR. The limitation in the bill is, of course, that only \$100,000 of the \$546,000 shall be used for the employment of this kind of help. In the next place, it cannot be used to pay compensation in excess of \$5,000 per annum without the advice and consent of the Senate.

The purpose is shown in a question I asked in the hearings:

I suggested to Mr. Johnson and to these other gentlemen a while ago that we should like to have them cut down the \$546,500 to an even half million dollars. They want the language referred to put back. I think, by all means, whether they wish it or not, it ought to be put back. They ought to get the best men they can, regardless of any civil-service law.

These are supposed to be experts; they ought to be men learned in business and in trade and commerce.

I suggested to Mr. Johnson cutting down the \$546,500 to an even half million dollars and trying to get along on the smaller amount. We must cut down on expenditures to some extent, and a reduction of \$46,500 would be very acceptable to this committee and would lead us to be very enthusiastic if you can get along with it.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. McKELLAR. First let me finish the quotation—

At this time of crisis in our business with South America, why can you not turn in and help the gentlemen whom you have employed, take the lead if necessary, and let us get something concrete? Let us get something beneficial to our country, just as we did in the contract we got with the aircraft concern for carrying our mail across the waters.

That referred to Mr. Johnson. That shows the purpose.

Mr. GILLETTE. Mr. President, will the Senator yield for another question?

Mr. McKELLAR. Certainly.

Mr. GILLETTE. For what is the \$162,000 to be used? There is a provision for an increase of \$162,000.

Mr. McKELLAR. That is for clerical assistance, stenographers, and bookkeepers, and others connected with the undertaking.

Mr. McNARY obtained the floor.

Mr. BYRNES. Mr. President—

Mr. McNARY. I shall be happy to defer to the able Senator from South Carolina.

Mr. BYRNES. If the Senator wishes to proceed, very well. I merely desire to speak for a few minutes.

Mr. McNARY. Mr. President, quite frankly I am going to discuss a point of order which I shall make. If the Senator wishes to discuss the matter on the merits I shall yield to him.

Mr. BYRNES. As I understand, the pending question is the amendment of the Senator from Massachusetts [Mr. LODGE].

Mr. LODGE. Mr. President, I have offered no amendment. I am simply opposing the committee amendment in line 2.

The PRESIDING OFFICER. The question before the Senate is on agreeing to the amendment of the committee.

Mr. BYRNES. On that amendment, Mr. President, I wish to make a statement. When this matter was before the committee last year I was greatly interested in it, because I believed that the businessmen of the country would be interested in having in the Department of Commerce some few men with long business experience, men successful in their own businesses, with whom the Department might discuss a number of matters which then were deemed of importance by the Secretary of Commerce. I must say that I thought it offered greater hope and greater encouragement than many other expenditures made by the Department. I believed that the man who is successful in his own business is unwilling to go through the trouble of the civil-service examination in order to serve under the Department; that the salary was not particularly attractive; and I was quite sympathetic with the desire of the Secretary of Commerce to induce a group of successful businessmen to come into the Department for a limited time to give their advice upon a number of very important matters. If he could not get them in that way, he did not wish to try to bring them in. He knew it would then be difficult to bring them in. Yet some of the great corporations of the country at times have shown a disposition to encourage some of their employees to accept assignments with the Government, and at other times businessmen desiring to render a service to the Government have shown a disposition to undertake such service. I was willing to let the Secretary of Commerce make a trial of such a program.

At the committee meeting last week the Department reported on what had been done. The Secretary had been successful in inducing a number of men of considerable experience in business to come into the Department to help in the effort he was making to bring the Department closer to business.

I realize it is difficult for an executive to evaluate in dollars and cents the services rendered by a group of businessmen of that character, and yet some things were said that interested me. I was impressed by the fact that a successful business executive who came into the Department had caused a new series of voluntary reports to be made by businessmen, and the necessary service is being furnished to those business houses that cooperate and subscribe for it. Under this man's direction more than 900 business houses are furnishing information weekly as to inventory.

The representative of the Department who appeared before the committee called attention to the fact that if in 1937 we had had such information as to how far production was ahead of consumption, the Government might have been able to step in and take effective action, but it did not do so because it did not then have the necessary information. Even last fall, when the situation arose which inspired the program which is now being developed most satisfactorily, we did not know whether consumption was of a speculative character growing out of the war, or whether it was of a solid, stable character.

From the weekly reports of inventories now obtained from the various industries it is possible to get a more accurate idea of the situation, which is of great importance to the business interests of the country.

Reference has been made to the Temporary National Economic Committee. The only statement concerning that committee was that one gentleman who had come into the Department had been sent from the Department to sit in with the committee simply as an observer, and no further mention was made of the matter, but the Senator from Wyoming [Mr. O'MAHONEY] who attended a meeting of the Appropriations Committee thereafter, paid tribute to the very excellent advice that was offered by this busy man respecting questions which arose before the committee.

In addition to what I thought last year with respect to the opportunity for service, I must say that after September 1, when the war began, I came to the conclusion that if there ever was a time for us to do anything in the countries to the south now is the time. I do not know what the Department of Commerce has done heretofore. Through the years, while serving on the Appropriations Committee, I have tried at various times through different administrations to get some accurate information, and have regretted that I did not see more practical results. But I know what ought to be done. In my opinion, now, when orders are cut off from Germany and from Great Britain, when they cannot be placed there with any hope of being filled, the United States should make every possible effort to extend its commercial relations with the nations to the south. I think a statement of mine brought about a discussion of what a few men, paid out of this appropriation, can do. One illustration was cited. An order for machinery was placed in Germany by a South American country about the time the war started. The president of an American machine company immediately came down to consult one of these businessmen assigned to the Department, whom he knew and with whom he was in contact, concerning that matter. I can readily understand how the businessman would come more readily to an individual whom he had known than to other employees of the Department. As a result of the visit, the order for that machinery was secured for this country. It gave employment to our people. Whether these business representatives in the Department should do more, I do not know. I think they should. I hope they will.

The members of the Appropriations Committee were of the opinion that inasmuch as these men were in the De-

partment, we should direct their attention to what we considered was important at this time. We found that they shared that view, and they were interested in doing everything possible.

The United States is a great market for rubber. We buy more than 50 percent of the rubber produced. No rubber is produced in the United States. If, through the Bureau of Foreign and Domestic Commerce, we can induce Brazil to go into the production of rubber instead of cotton, to produce something for which we provide a market instead of something which is in competition with our producers—and other products were mentioned by these gentlemen in discussing the matter before the committee—if we could do that now, then after peace is restored, business relations will have been established which will be of inestimable value to the United States. The Department would fail to take advantage of the present opportunity if it did not proceed with all possible activity to develop the South American market.

At this time four men are serving for a dollar a year. One man was offered a salary of \$20,000 or \$25,000 elsewhere, but instead he came down here to accept \$7,200 to serve the Government. The Senator from Massachusetts says there is no contract. That is true, but the Department is trying to induce these men to stay as long as they can in order to obtain the benefit of their advice. I think it is wise to do what we can so they may continue their efforts along this line.

The Senator from Iowa [Mr. GILLETTE] asked a question on that point. There is in the language nothing that would indicate that their efforts should be directed solely to that end. The statement gives the number of men employed, who they are, what they are paid, and what they have been doing. I can tell the Senator that they are not doctors of politics. And I think the statement was made the Department had no idea as to the politics of a single one of these men. I think I facetiously expressed regret that it did not have. But, as a matter of fact, they are engaged in work which is political, and notwithstanding the fear expressed by the Senator from Massachusetts, they are men who are anxious to get back to their businesses, and are not anxious to stay on the rolls at the salaries they are receiving.

Mr. McKELLAR. Since the hearings were held Mr. Kerlin, of the Department, has given us some concrete figures as to the changes in trade with South America on the part of the United Kingdom, Germany, and the United States. I should like to call the Senator's attention to them at this point.

Imports from Argentina, Costa Rica, and Haiti to Great Britain have decreased in the past 4 months from \$25,865,000 to \$19,362,000. Exports have decreased from \$50,118,000 to \$45,065,000.

With respect to Germany, imports from the same countries have decreased from \$15,062,000 to \$5,719,000; and exports have decreased from \$12,993,000 to \$2,117,000.

The total United Kingdom trade with the three countries named for the same 4 months has decreased from \$75,983,000 to \$64,427,000; and in the case of Germany the total trade has decreased from \$28,055,000 to \$7,836,000.

These are the figures for the 4 war months.

The imports of the United States from Latin America have increased from \$151,424,000 to \$200,233,000, while exports have increased from \$186,819,000 to \$265,643,000. General trade has increased in the same 4 months, as compared with 1938, from \$338,243,000 to \$465,876,000. Trade with Brazil, Chile, Peru, and Colombia has increased to an even greater extent.

If the Senator is willing, I ask that the statement to which I have referred may be printed in the RECORD at this point, to show the enormous increase in the business of the United States during the war period. It seems to me that as good businessmen we ought to aid in making the increases even larger.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

4 months (Sept. 1 to Dec. 31, 1939) trade of United Kingdom and Germany with Latin America

[All figures in United States currency—000 omitted]

UNITED KINGDOM

	Imports		Exports	
	1938	1939	1938	1939
Argentina.....	\$25,213	\$19,032	\$49,932	\$44,771
Costa Rica.....	287	119	166	294
Haiti.....	365	211	20
Total.....	25,865	19,362	50,118	45,065

GERMANY

	1938	1939	1938	1939
Argentina.....	\$14,144	\$4,950	\$12,479	\$1,775
Costa Rica.....	784	754	464	342
Haiti.....	134	15	50
Total.....	15,062	5,719	12,993	2,117

	1938	1939
Total United Kingdom trade for same 4 months with above 3 countries.....	\$75,983	\$64,427
Total German trade for same 4 months with above 3 countries.....	28,055	7,836

The foregoing 3 countries are the only ones for which the full 4 months' figures are available. The statistics of those countries were used in each case as no English or German statistics have been received in the European section.

4 months' (Sept. 1 to Dec. 31) trade of United States with Latin America

[All figures in United States currency—000 omitted]

Month	United States imports from—		United States exports to—	
	1938	1939	1938	1939
September.....	\$40,594	\$41,861	\$43,883	\$54,517
October.....	38,046	51,577	45,936	66,062
November.....	35,594	52,228	44,778	68,498
December.....	37,190	51,567	52,222	76,566
Total for 4 war months.....	151,424	200,233	186,819	265,643

Total United States trade for same 4 months:	
1938.....	\$338,243
1939.....	465,876

3 months (Sept. 1 to Nov. 30, 1939) trade of United Kingdom and Germany with Latin America

[In United States dollars—000 omitted]

UNITED KINGDOM

	Imports		Exports	
	1938	1939	1938	1939
Brazil.....	\$7,505	\$4,601	\$5,474	\$4,919
Chile.....	2,350	1,628	5,956	268
Peru.....	1,638	703	4,326	4,123
Colombia.....	1,647	1,976	181	238
Total.....	13,140	8,908	15,937	9,548

GERMANY

	1938	1939	1938	1939
Brazil.....	\$18,077	\$2,941	\$9,436	\$613
Chile.....	7,914	3,359	2,102	289
Peru.....	2,962	988	1,806	76
Colombia.....	3,743	900	3,950	48
Total.....	32,716	8,188	17,294	1,026

	1938	1939
Total United Kingdom trade for same 3 months with above 4 countries.....	\$29,077	\$18,456
Total German trade for same 3 months with above 4 countries.....	50,010	9,214

The foregoing 4 countries are the only ones for which only 3 months' statistics, Sept. 1 to Nov. 30, 1939, are available. The statistics for those countries were used in each case, as no English or German statistics have been received for the 1939 period covered.

Mr. LODGE. Mr. President, I am much interested in what has just been said. Certainly the Senator from South Carolina [Mr. BYRNES] is one of the most brilliant of men. When he is defending a meritorious cause he is irresistible, and he is almost as irresistible when he is defending a cause without much merit. In this particular case he has made the best of a bad job.

I still think that the burden of proof rests on those who want to have this appropriation made. We hear the statement that businessmen in the country do not want to come to Washington and talk to a civil service bureau chief; that they are too shy, or too particular, or they feel too flustered in Washington when they talk to a civil-service bureau chief. I think that is an absurd argument. If businessmen are such sensitive flowers that they cannot talk to the Chief of the Bureau of Foreign and Domestic Commerce, or if the Chief of the Bureau of Foreign and Domestic Commerce is so incompetent that businessmen cannot get any results from a conference with him, then the whole system is hopeless, and we should do something drastic about it, and not merely tinker with it.

So far as the railroad order in the Argentine is concerned, I should like to quote what was said on that subject by Mr. Young in the hearings. Mr. Young is a regular Department of Commerce official. He is the Director of the Bureau of Foreign and Domestic Commerce. He is not one of the high-pressure, non-civil-service experts. I asked him how the deal for railroad equipment in the Argentine was put over, and this is what he said, on page 168:

In the case of this railway equipment, the vice president of the American company came to see us—

The "us" does not refer to the newly appointed, non-civil-service business experts. The "us" refers to the regular civil-service employees of the Bureau—

and called our attention to the fact that with the change in conditions he thought they might have a chance to bid for this order, and asked for our assistance. We immediately got in touch with the commercial attaché—

The commercial attaché is a regular official of the Department of Commerce. He is not somebody who was brought in during the past 6 months in order to try to work up some new business—

and got him to go to work on it, furnishing him from here all the information necessary; and he, in cooperation with the representative of the company, eventually succeeded in getting the order.

That is the famous Argentine railway matter. I think the evidence is conclusive that the result was due entirely to the regular staff of the Department of Commerce, working with the representatives of the American company.

Mr. McNARY. Mr. President, the able Senator from Massachusetts [Mr. LODGE] is asking the Senate to reject the committee amendment. In that request I concur. However, in order to consider the whole matter intelligently, I think we should keep in mind and revert to the proposal about to be offered by the Senator from Tennessee [Mr. McKELLAR].

The bill as it now reads carries \$546,500, for what? After enumerating the officials in the Department of Commerce, the language is:

To sign minor routine official papers and documents during the temporary absence of the Secretary.

It occurs to me that that language has nothing to do with encouraging American business in South America and Central America. Its purpose can be conceived only when we consider the proposal which is about to be offered by the Senator from Tennessee.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. McNARY. I yield.

Mr. BYRNES. The information which we have given to the Senate is the positive statement of the representative of the Department to the committee as to the purpose for which the money would be spent.

Mr. McNARY. I appreciate that; and I am not questioning the fairness of the statement. I am not complaining about

the attitude of the Senator. I am speaking about the limitations of the bill, and the proper construction to be given to the language of the bill. The language making the increase in appropriation of \$162,000 states specifically that it is for an executive officer—

To sign minor routine official papers and documents during the temporary absence of the Secretary.

However, beyond the hearing, we have the committee amendment in the possession of the able Senator from Tennessee [Mr. McKELLAR], which amplifies the reasons for the expenditure of that money, and says specifically, with limitations, for what it is to be used. I am now addressing myself to the larger question.

Mr. BYRNES. The Senator will agree that in the second line of that section is the language, "and other personal services." The employment of persons is authorized under the organic act.

Mr. McNARY. The question has nothing whatsoever to do with the purposes stated by the able Senator from South Carolina. I am not quarreling with him.

Mr. President, in my opinion we should consider these proposals together. While the proposal of the Senator from Tennessee is not now before the Senate, I realize that if the amount of money recommended by the Senate committee is appropriated, no use will be made of that money unless it is tied in with the amendment to be offered by the Senator from Tennessee on behalf of the committee. Only then does it make sense. The proposal to be offered by the Senator from Tennessee is the only excuse for increasing the amount. It reads:

On page 33, line 2, following the figure "\$546,500," insert the following: "Provided, That not to exceed \$100,000 of this appropriation shall be available for expenditure by the Secretary of Commerce for personal services of experts and specialists at rates of compensation not in excess of \$9,000 per annum without regard to the civil-service laws and regulations or the Classification Act of 1923, as amended: *Provided further*, That no part of the said \$100,000 shall be used for the payment of any person hereafter appointed at a salary of \$5,000 per annum or more unless such person is appointed by the President, by and with the advice and consent of the Senate."

Mr. President, in my opinion, that language comes within the prohibitive rule. It is language which may not be inserted in an appropriation bill, because it is legislative language in character. Being legislative language in character—and I shall make the point of order—it is useless to consider the increase for salaries if the very purposes of the increase are denied by the Senate, and the Chair in his wisdom removes the question from the consideration of the Senate.

Mr. McKELLAR. Mr. President, from the information I have, and from the knowledge I have of the rules of the Senate, I think it is unquestionably true that that particular part of the proviso is subject to a point of order. We thought so in the committee, and for that reason it was to be offered as a separate amendment. Of course, that means that the bill must lie over another day when the point of order is made, because when we reach the question under the regular routine of the Senate I shall give notice of a motion to suspend the rule.

The PRESIDING OFFICER. The Chair gives notice that if and when the point of order is made he will rule upon it; but until it is made the Chair is not in a position to rule.

Mr. McKELLAR. The question is not now before the Senate.

Mr. McNARY. The amendment has not yet been offered. However, it will be. I shall then make the point of order. However, in order to discuss fully and completely the value of the amendment offered by the able Senator, it is necessary to consider the whole transaction.

Mr. McKELLAR. The Senator is entirely correct. As a matter of fact, the committee determined that part of the amendment was subject to a point of order, and directed the chairman of the subcommittee to offer it as a separate amendment. During the day I shall conform to the rule and make a motion to suspend the rule. Of course,

whether or not the rule shall be suspended will depend upon how the Senate votes.

Mr. McNARY. Mr. President, I do not know who guides the committee in its deliberations. However, the mere fact of authorizing one Senator to present a committee amendment does not in any way affect the rule. The amendment might as well have been written into the bill.

Mr. McKELLAR. The difference is that under the rules of the Senate, if it had been written into the bill it would have had to go back to the committee; so we left it out of the bill. As a matter of fact, the committee did not think it would be objected to; but it has been objected to, or rather the Senator has given notice that it will be objected to. Therefore I shall make the motion to suspend the rule; and, of course, the matter will have to go over when it is reached.

Mr. McNARY. I disagree also with that statement. It is, in my opinion, an erroneous view, that the mere raising of a point of order sends the whole bill back to the committee. It does not do so. That question has been ruled on several times within the last few years. However, I do not care anything about that, but I shall make the point of order when the proper time comes. I may add that I cannot see the reason why the Senator wants to persist in urging this amendment providing an increase of \$162,000 unless he accompanies it with language explaining it.

Mr. McKELLAR. It is the purpose, of course, to have the accompanying language in both provisos. I think it very wise to do that; but, of course, if the Senator makes the point of order when it comes up, we will have to conform to the rule.

Mr. McNARY. Let me suggest that the question of the increase be passed over for the present, and if the Senator offers his proposal, I shall make a point of order and see what the future has in store for the bill.

Mr. BYRNES. Mr. President, I think we should proceed in order. The question is on the amendment as to the amount. If the Senator sees fit to make a point of order, we will cross that bridge when we come to it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. GILLETTE. Mr. President, as to whether or not it is advisable to hire experts to develop South American trade is a controversial matter which may well be debated, with logical argument presented on both sides, but there can be no controversy, in my opinion, as to the obligation of the Congress of the United States to legislate intelligently. There is no excuse under the sun for the Senate of the United States or the Congress of the United States to continue legislating in a nebulous, hazy, and uncertain way, and leave to administrative officials the duty of interpreting what we are not able to interpret here on the floor. If it is wise and necessary to authorize the employment of experts to develop South American or Latin American trade, why not present the matter on that basis and state the number to be appointed, how much they shall be paid, and what duties they shall perform?

I wish to call the attention of the Senate to the situation in which we find this proposal at the present time.

I read from the bill that is on our desks:

Salaries: Secretary of Commerce, Under Secretary of Commerce, Assistant Secretary, and other personal services in the District of Columbia, including the Chief Clerk and Superintendent * * * \$546,500.

That lump-sum appropriation is made available by this proposal, without the amendment to be offered by the Senator from Tennessee, for the purpose of paying the salaries of the Secretary, the Under Secretary, the Assistant Secretary, the Chief Clerk, the Superintendent, and other personal services in the District of Columbia.

Incidentally, the sum of \$546,500 is 70 percent more than the high point when Mr. Hoover was Secretary; it is 60 percent more than the high point when Mr. Roper was Secretary. If the provision is left in its present shape, the amount of money proposed to be appropriated will be for the purpose of paying the specific salaries indicated.

Mr. BYRNES. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. GILLETTE. I yield.

Mr. BYRNES. I think the Senator is aware that under our procedure when the President submits a request for a certain amount for the Secretary, the Under Secretary, the Assistant Secretary, and personal services, the Budget submits to the Congress a statement setting forth in detail the salaries of those for whom the amount is appropriated, and the Appropriations Committee of the Senate holds the departments affected by this bill close to the statement of the Budget as to the purpose for which the money is to be spent. So there is information as to the amount of the salaries.

Mr. GILLETTE. There is no question in the world that there is information or suggestion, but there is no obligation on the part of the Congress to follow that recommendation.

Mr. BYRNES. There is the obligation that the department shall follow it. If the department should vary from it, as the Department of Justice did in using some of the funds appropriated in a general administrative lump sum for the employment of a personnel official when the estimate was not submitted to the Budget, and the amount specifically requested by the Budget, Congress may take appropriate action. Indeed, in this bill the appropriation requested for the official in question has been disallowed and he will have to be discharged.

Mr. GILLETTE. That is a matter of control later by making the money available or not making it available.

Mr. BYRNES. If, during the year, a department employs a man, under a lump sum, when his services were not set forth in the appropriation bill we would not know it until the department again comes before the Appropriations Committee.

Mr. GILLETTE. If the contention of the able Senator from South Carolina is correct—and I am sure he feels it is, and far be it from me to dispute with him on any ordinary matter—that the control of this sum of \$546,500 is in the estimates submitted by the Bureau of the Budget, there is no occasion whatever for the limitation offered by the Senator from Tennessee, because it is limited by the Budget recommendation and by that alone.

Mr. BYRNES. There is only one reason for the amendment of the Senator from Tennessee. Under the language of the bill as it now stands, taken in connection with the Budget and everything else, those who are appointed must be appointed from the civil-service eligible list. The purpose of the amendment of the Senator from Tennessee is to permit the appointment of a certain number, not more than then could be included within \$100,000, outside the eligible list.

Mr. GILLETTE. The amendment goes much further than that. The amendment attempts to limit the appropriation in the sum of \$100,000 to certain experts and specialists.

Mr. BYRNES. I can say to the Senator that if he will read it closely there can be no question that the purpose is that \$100,000 of this amount shall be spent for experts and specialists appointed without regard to the classification law. If it were not for that, it would be in order; but that makes it subject to a point of order. That is the only reason for the amendment.

Mr. GILLETTE. I am not debating the point of order; but let me say that, while there may be no doubt or question in the mind of the distinguished Senator from South Carolina or in the mind of the distinguished Senator from Tennessee, there is doubt in the mind of members of the committee, because this afternoon on the floor I asked a member of the committee what the extra \$62,000 was for, and he said it was to be used for traveling expenses.

Mr. McKELLAR. Oh, no. It is for clerks and clerical assistance.

Mr. GILLETTE. I am not referring to the able Senator from Tennessee. I said another member of the committee.

Mr. McKELLAR. Very well.

Mr. GILLETTE. I asked a question of the able Senator from Tennessee, and he said the \$62,000 was to be used for

stenographers and certain clerical assistants, but I am referring to the fact that the Senator from South Carolina said there could be no doubt, when there is a doubt in the minds of members of the committee.

Mr. McKELLAR. Mr. President—

Mr. GILLETTE. Just a moment. He said that the amount is to be used for traveling expenses, when there is a provision in the bill that all traveling expenses in all the bureaus and divisions must be paid out of the \$238,000 appropriation for that specific item.

Mr. BYRNES. My statement was not that there could be no doubt was a positive way of making the statement. I will withdraw it, because there may always be doubt in the minds of some individuals—and it is not a criticism of any individual to say so—but there is no justification for the doubt, I should have said.

Mr. GILLETTE. I will say, from my limited experience in the Senate, I am always convinced when the Senator from South Carolina makes a statement, that there is no doubt in his mind as to the conclusion he has reached. Unfortunately, sometimes I cannot reach the same conclusion, but I always credit him with logically reaching his.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. McKELLAR. Does the Senator propose to move to amend this amendment? What is the Senator's proposal?

Mr. GILLETTE. I have not yet proposed an amendment. I am trying to present the picture as it appears to me. With this bill in the form in which it is presented, with no limitation on the \$162,000 increase except the hoped-for limitation suggested by the Senator from South Carolina, if the amendment is adopted as proposed by the Senator from Tennessee, it will limit the \$100,000 but not the \$62,000, which is left exactly as this provision of the bill now provides. The \$100,000 will be limited to the employment of experts and specialists, with a maximum salary of \$9,000 a year, and the elimination of the requirement as to civil service, and the added provision that if they are paid over \$5,000 a year they will have to be confirmed by the Senate. There is, however, no limitation as to what type of experts or specialists shall be appointed and no limitation whatever as to what they may be used for. There is no suggestion that they are to be used to develop trade with the Latin American countries, but they are to be merely experts or specialists, to be hired in any number, to be hired under any salary, with a \$9,000 limitation, limited only by the \$100,000 appropriation, and there is no limitation at all of the \$62,000 to the use that is designated in line 17, namely, to the salaries of the Secretary of Commerce, the Under Secretary, the chief clerk, the superintendent, and other services.

That is the point I am making.

Mr. McKELLAR. Mr. President, if the Senator will yield to me, if he will look on page 161 of the hearings he will find the list of those who are now employed; and, as I understand, most of them, at any rate, will continue to be employed unless they resign or vacancies occur, which will be filled.

There is one at \$9,000, one at \$7,500, one at \$7,250, another one at \$7,000, one at \$6,600, one at \$6,000, two at \$5,600, three at \$5,000, two at \$4,600, four at \$4,000, one at \$4,200, one at \$3,800, one at \$3,500, one at \$3,200, and one at \$2,600.

Those are the men who are now in this division. They were employed as experts or specialists in trade; and it is for the purpose of keeping them at work that this appropriation is made.

Mr. GILLETTE. Mr. President, whenever a question is raised here on the floor, the Senators in charge of the bill call attention to the hearings. The hearings are valuable to develop for a committee or a subcommittee the facts in a case on which they may base the legislation they bring in here as our agents. I should like to have them call attention to something that is in the bill. Is there anything in the bill to require hiring the list of men the Senator from Tennessee has just read, or at the salaries named, or to limit

their employment to that number, or to curtail that number?

We are legislating on the bills which are presented here. We develop in the hearings the facts for our guidance, which are helpful or not helpful, depending on what is developed; but the Senate is here to act on the report made by our agents. Our agents brought in here a proposal to spend \$546,500 for the salaries, among others, of a half-dozen men without a limitation, an increase of \$162,000. It is proposed by this amendment to limit \$100,000 of the amount, but not to limit the remaining \$62,000; and there is no limitation as to the number that may be employed, or for what purpose they may be employed.

The only point I have been trying to make, in my weak way, is that the time has long since passed when we should enact legislation and leave it to the tender mercies of some administration official, no matter who he may be. I am not questioning their honor or integrity or earnestness, but why can we not legislate intelligently, so that the administrative officials may properly interpret our legislation, and have a reasonable idea of what we are trying to place on the statute books?

Mr. HOLT. Mr. President, I am very happy that those in charge of the bill have decided to call this an appropriation for experts and specialists, because if they had listed this amount for secretaries there would not be enough titles to go around for the different types of secretaries.

I made a survey of the official titles of the secretaries in the office of the Secretary of Commerce. It is very interesting, and I thought the Senate ought to have the benefit, and since we are going to call these people "experts and specialists," there would be less danger of confusing their titles. But here are the official titles, as listed in the Budget, of the secretaries in the office of the Secretary of Commerce:

The Secretary.
The Under Secretary.
Three Assistant Secretaries.
The administrative assistant.
Seven assistants to the Secretary.
Secretary to the administrative assistant.
Secretary to the Secretary.
Confidential assistant to the Secretary.
Secretary to the Under Secretary.
Secretary to the Assistant Secretary.
Secretary to the assistant to the Secretary. You have to watch yourself on that, or you will get confused in the tongue twister.

Confidential assistant to the Assistant Secretary.

Four special assistants to the Secretary.

[Laughter.]

All those are in the office of the Secretary; not in any bureau or division of that Department except in the office of the Secretary of Commerce.

I am sure these individuals are not underpaid, because here are their salaries:

The Secretary of Commerce gets \$15,000, even if he is not there.

The Under Secretary gets \$10,000, and we recently created his office. That was a noble act.

An Assistant Secretary, at \$9,000.

Two special assistants to the Secretary, at \$9,000 each.

An administrative assistant, at \$9,000.

An assistant to the Secretary, at \$9,000.

Two special assistant secretaries, at \$7,500 each.

Two assistants to the Secretary, at \$7,000 each. They were not quite as good as the other assistants.

Two assistants to the Secretary, at \$6,000 each.

An assistant to the administrative assistant, at \$5,800.

Two assistants to the Secretary, at \$4,900 each.

A secretary to the Secretary, at \$3,800.

A confidential assistant to the Secretary, at \$3,200.

A secretary to the Assistant Secretary, at \$3,100.

A secretary to the assistant to the Secretary, \$3,100.

A secretary to the administrative assistant, at \$3,100.

A secretary to the Under Secretary, at \$2,600.

A confidential assistant to the Assistant Secretary, at \$2,600.

Mr. President, you can imagine what a problem I faced the other day when I was told to call a secretary in the office of the Secretary of Commerce. With all those secretaries, whom should I call? Of course, it would be necessary to call an expert to find that out. I thought I would get an expert. I found four men not listed as secretaries but listed as experts, at \$3,200, \$3,800, and \$4,000. Of course, these experts are little experts. They have bigger experts in addition to the little experts with a few middle-sized experts, and now we are going to add some more of them—some individuals who are supposed to know about South America. I found nine individuals as big experts, and here are their salaries: Three, at \$5,000; two, at \$5,600; one, at \$6,000; one, at \$6,600; two, at \$7,000.

If the experts cannot solve the problem you may call up the Director of Personnel; if he is not in then you may call the assistant to the Director of Personnel, and if he is not in and if you are desperate you may call the secretary to the Director of Personnel, and find out what you wish to know.

Shades of bureaucracy! Think of that—a secretary to the secretary to the Assistant Secretary of the Secretary of Commerce! [Laughter.] And now they say we need some more experts. We do to untangle this. I am glad they have called them "experts," because if they had called them "secretaries" we should have had to go into some other language for an official title for them.

Mr. LODGE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Connally	Johnson, Colo.	Smith
Andrews	Danaher	La Follette	Stewart
Austin	Davis	Lee	Taft
Bailey	Ellender	Lodge	Thomas, Idaho
Bankhead	Frazier	Lucas	Thomas, Utah
Barbour	George	McKellar	Tobey
Barkley	Gillette	McNary	Townsend
Bilbo	Green	Maloney	Truman
Brown	Gurney	Mead	Vandenberg
Bulow	Hale	Minton	Van Nuys
Byrnes	Hatch	Neely	Walsh
Capper	Hayden	Norris	Wheeler
Caraway	Herring	Reed	White
Chandler	Hill	Russell	Wiley
Chavez	Holt	Schwartz	
Clark, Idaho	Hughes	Schwellenbach	
Clark, Mo.	Johnson, Calif.	Sheppard	

The PRESIDING OFFICER. Sixty-five Senators have answered to the roll call. A quorum is present.

Mr. McKELLAR. Mr. President, in conformance with the provisions of rule 40, I give notice in writing that I shall move to suspend the rules in order that I may offer an amendment to the bill, and I send the notice to the desk.

Mr. McNARY. Mr. President, I deferred making the point of order until after disposition was made of the pending amendment.

The PRESIDING OFFICER. Will not the Senator permit the notice to be read? Is there objection to that?

Mr. McNARY. As I understand the parliamentary situation, we are now discussing whether we shall agree to or reject the committee amendment.

Mr. McKELLAR. That is all.

Mr. McNARY. This proposal follows, and is in anticipation of what I stated a while ago, that I was going to make a point of order to the substance of the amendment to be offered by the Senator from Tennessee on behalf of the committee. I maintain that if the committee amendment shall be defeated, this proposal will be wholly out of order.

The PRESIDING OFFICER. This is merely a notice which the Senator from Tennessee desires to give.

Mr. McKELLAR. I withdraw it for the present.

The PRESIDING OFFICER. The Senator from Tennessee withdraws the notice, and the question is now on agreeing to the amendment of the committee on page 33, line 2.

Mr. McKELLAR. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from New Jersey [Mr. SMATHERS] are absent from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST], the Senator from Nebraska [Mr. BURKE], the Senator from California [Mr. DOWNEY], the Senator from Rhode Island [Mr. GERRY], the Senator from Virginia [Mr. GLASS], the Senator from Arkansas [Mr. MILLER], the Senator from Minnesota [Mr. LUNDEEN], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Maryland [Mr. RADCLIFFE], and the Senator from Illinois [Mr. SLATTERY] are detained on important public business.

The Senator from Maryland [Mr. TYDINGS] and the Senator from New York [Mr. WAGNER] are unavoidably detained.

The Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Mississippi [Mr. HARRISON], the Senator from Utah [Mr. KING], and the Senator from Montana [Mr. MURRAY] are absent attending committee meetings.

The Senator from Nevada [Mr. McCARRAN], the Senator from Louisiana [Mr. OVERTON], the Senator from Florida [Mr. PEPPER], the Senator from North Carolina [Mr. REYNOLDS], and the Senator from Oklahoma [Mr. THOMAS] are detained on departmental business.

The Senator from Nevada [Mr. PITTMAN] and the Senator from Ohio [Mr. DONAHEY] are absent on official business.

The Senator from Virginia [Mr. GLASS] has a general pair with the Senator from Minnesota [Mr. SHIPSTEAD].

The Senator from New Jersey [Mr. SMATHERS] is paired with the Senator from Rhode Island [Mr. GERRY]. I am advised that, if present and voting, the Senator from New Jersey would vote "yea," and the Senator from Rhode Island would vote "nay."

Mr. THOMAS of Utah. I have a general pair with the Senator from New Hampshire [Mr. BRIDGES]. In his absence, I transfer that pair to the Senator from Florida [Mr. PEPPER] and will vote. I vote "yea." I am not advised how either Senator would vote if present and voting.

Mr. AUSTIN. My colleague Mr. GIBSON is absent because of illness in his family. He has a general pair with the Senator from Pennsylvania [Mr. GUFFEY].

Mr. McNARY (after having voted in the negative). Again announcing my pair and transfer, I permit my vote to stand.

Mr. BROWN. I have a pair with the senior Senator from Utah [Mr. KING]. If I were permitted to vote, I should vote "yea." The senior Senator from Utah, if present, would vote "nay."

Mr. STEWART. I have a pair with the junior Senator from Oregon [Mr. HOLMAN], who I understand, if present, would vote "nay." I transfer that pair to the senior Senator from Arizona [Mr. ASHURST] and vote "yea."

The result was announced—yeas 25, nays 38, as follows:

YEAS—25

Andrews	Ellender	McKellar	Stewart
Barkley	Green	Mead	Thomas, Utah
Byrnes	Hatch	Minton	Truman
Caraway	Hayden	Neely	Wheeler
Chavez	Hill	Schwartz	
Clark, Idaho	La Follette	Schwellenbach	
Connally	Lucas	Sheppard	

NAYS—38

Adams	Danaher	Johnson, Calif.	Thomas, Idaho
Austin	Davis	Johnson, Colo.	Tobey
Bailey	Frazier	Lee	Townsend
Bankhead	George	Lodge	Vandenberg
Barbour	Gillette	McNary	Van Nuys
Bilbo	Gurney	Maloney	Walsh
Bulow	Hale	Reed	White
Capper	Herring	Russell	Wiley
Chandler	Holt	Smith	
Clark, Mo.	Hughes	Taft	

NOT VOTING—33

Ashurst	Gibson	Murray	Shipstead
Bone	Glass	Norris	Slattery
Bridges	Guffey	Nye	Smathers
Brown	Harrison	O'Mahoney	Thomas, Okla.
Burke	Holman	Overtone	Tydings
Byrd	King	Pepper	Wagner
Donahay	Lundeen	Pittman	
Downey	McCarran	Radcliffe	
Gerry	Miller	Reynolds	

So the amendment of the committee was rejected.

Mr. LODGE. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. TOBEY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. McNARY. Mr. President, I think it is fair to assume that the Senator from Tennessee does not intend to propose his amendment.

Mr. McKELLAR. No; it is not at all necessary.

The PRESIDING OFFICER. It was withdrawn.

Mr. McKELLAR. It has been withdrawn.

The PRESIDING OFFICER. It is not now before the Senate. The clerk will state the next amendment of the Committee on Appropriations.

The next amendment was, under the subhead "Bureau of the Census," on page 39, line 4, after the word "services," to strike out "\$120,000" and insert "\$100,000", so as to read:

Salaries and expenses, Social Security Act: For salaries and necessary expenses for searching census records and supplying information incident to carrying out the provisions of the Social Security Act, approved August 14, 1935 (42 U. S. C. ch. 7), including personal services in the District of Columbia; binding records; supplies; services; \$100,000.

The amendment was agreed to.

The next amendment was, under the heading "Title III—Department of Justice—Office of the Attorney General," on page 53, line 20, after the name "Department of Justice," to strike out "including traveling expenses of probation officers and their clerks but"; on page 54, line 1, before the word "Provided", to strike out "\$312,000" and insert "\$589,000"; in line 2, after the word "exceed", to strike out "\$7,500" and insert "\$3,500"; in line 4, after the name "Bureau of Prisons", to strike out "and the Probation Service", and in line 6, after the name "Attorney General", to strike out the colon and the following additional proviso: "Provided further, That United States probation officers may be allowed, in lieu of actual expenses of transportation, not to exceed 3 cents per mile for the use of their own automobiles for transportation when traveling on official business within the city limits of their official station"; so as to read:

Traveling expenses: For all necessary traveling expenses, Department of Justice, not including traveling expenses otherwise payable under any appropriations for "Federal Bureau of Investigation", "Salaries and expenses of marshals", "Fees of witnesses", and "Penal and correctional institutions" (except as otherwise hereinbefore provided), \$589,000: *Provided*, That this sum shall be available, in an amount not to exceed \$3,500, for expenses of attendance at meetings concerned with the work of the Bureau of Prisons when incurred on the written authorization of the Attorney General.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Prisons", on page 53, line 11, after the word "prisoners", to strike out "\$318,000" and insert "\$303,000"; so as to read:

Salaries: For salaries in the District of Columbia and elsewhere in connection with the supervision of the maintenance and care of United States prisoners, \$303,000.

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous appropriations," on page 59, line 9, after the name "District of Columbia", to strike out "\$1,250,000" and insert "\$1,400,000", so as to read:

Enforcement of antitrust and kindred laws: For the enforcement of antitrust and kindred laws, including experts at such rates of compensation as may be authorized or approved by the Attorney General, except that the compensation paid to any person employed hereunder shall not exceed the rate of \$10,000 per annum, including personal services in the District of Columbia, \$1,400,000.

Mr. LA FOLLETTE. Mr. President, I should like to ask the Senator in charge of the bill with regard to this item on page 59, which proposes to increase the sum provided for the enforcement of the antitrust and kindred laws by \$150,000 over and above the amount provided in the bill as it passed the other House.

There is great interest in the activity of the antitrust division, and I am particularly concerned in the effort which it has been putting forth in relation to the enforcement of the antitrust laws insofar as they affect the dairy industry. The Senator may be aware of the fact that an effort was made

in the House of Representatives to increase the item for the purpose of making certain that a sufficient amount of money would be available to the Antitrust Division to carry forward their activities in relation to the enforcement of the antitrust laws, as affecting the dairy industry.

Representative HULL, of Wisconsin, offered an amendment on the floor of the House providing for the appropriation of \$100,000 additional in order to make certain that the work of the Antitrust Division in relation to the particular phase of its work to which I have alluded could be effectively and vigorously prosecuted.

I wish to ask the Senator from Tennessee a question. With the increase of \$150,000 which the committee has made in this item, can we be assured that there will be a sufficient amount of money available to the antitrust division so that its activities in relation to the dairy industry and the alleged monopoly practices which exist in it, can be carried forward, assuming the item is retained?

Mr. McKELLAR. I, myself, have no doubt about it. The Senator will find on page 133 of the hearings, and on the following pages, a full discussion of the entire matter by Mr. Arnold, the head of the Antitrust Division in the Department of Justice. As I recall, he asked for one and a half million dollars, and the committee, after most careful consideration, finally concluded to give him \$1,400,000, which is \$150,000 above the amount approved by the House.

Mr. Arnold and those with him made an excellent case. They testified, as the Senator will see from the hearings, concerning the dairy or milk cases in Chicago and elsewhere. In connection with those cases they cited the success of the Department in doing away with the evil customs and practices which existed in the industry. I, myself, do not believe that an increase of \$150,000 will give Mr. Arnold ample money to carry on the work he has begun. Unquestionably, he has made fine progress. I think there were two or three items with respect to which there was an increase, and this was one of the few items where an increase was given, because the committee believed that Mr. Arnold would enforce the law to the benefit of the dairy industry, as well as to the benefit of other industries in similar situations.

Mr. LA FOLLETTE. With that assurance from the Senator from Tennessee, Mr. President, I shall not offer an amendment to increase the amount. I am very much interested, as I have indicated, in the work of the Department being efficiently carried forward insofar as it relates to the dairy industry, and I will say also, while I am on my feet, that I think the testimony shows that the antitrust division has collected in fines and in judgments about \$4 for every dollar which has been appropriated to it.

Mr. McKELLAR. No; not quite that much. The amount that was collected last year in the way of fines was \$2,400,000 in round figures. Unquestionably, as the Senator recalls, for a number of years, the provisions of the antitrust law were not vigorously enforced, but they have been vigorously and effectively enforced lately. Many of those prosecuted have come forward and agreed to conform to the law and not engage in practices in violation of the antitrust law. I will read the amounts collected in fines—

Mr. LA FOLLETTE. From what page?

Mr. McKELLAR. From page 96 of the record.

Mr. Arnold in testifying said this:

I can show you the results concretely in terms of fines. To be sure, we do not run this division to collect fines, but for the period 1929 to 1936, when you appropriated the bare essentials for the office here in Washington, \$300,000 a year, we collected only \$73,000 in fines. Last year you appropriated \$1,300,000, and in 6 months' time we had collected, up to the first of the year, \$2,430,000 in fines. That is nearly 4 to 1.

He says it is nearly 4 to 1. He figures only 6 months' time. He figures that at the same rate it would be 4 to 1.

Mr. LA FOLLETTE. That was the statement I had in mind when I referred to the collection of fines.

Mr. McKELLAR. Yes. As a matter of fact, what they actually collected in the first 6 months was \$1,430,000.

Mr. LA FOLLETTE. I appreciate the Senator's statement.

Mr. MINTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it. Mr. MINTON. What amendment is pending?

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 59, beginning in line 9.

Mr. MINTON. I wish to offer an amendment to the committee amendment, on page 59, line 15, to strike out "\$5,000" and insert "\$7,500." In referring to the committee amendment it will be seen that it provides that if the Department desires to employ anyone in this service, and to pay him out of this appropriation a salary of \$5,000 or more per year, it can only be done if such person is appointed by the President, by and with the advice and consent of the Senate. The amendment I offer is to raise that limit to \$7,500.

The PRESIDING OFFICER. The Chair is of the opinion that the amendment is in order.

Mr. McKELLAR. Mr. President, I hope the Senate will not agree to that amendment to the amendment. I see no reason in the world why the limit should not be \$5,000 instead of \$7,500. The committee after very careful consideration fixed the amount at \$5,000, and I think that figure should be retained. By the way, I think in a number of other appropriation bills the sum of \$5,000 was fixed, though in this particular bill last year it was \$7,500. I think the bills ought to be made as uniform as possible, and I believe \$5,000 is the proper limit.

Mr. MINTON. I ask the Senator from Tennessee if it is the uniform practice to make the limit \$5,000.

Mr. McKELLAR. It is not the uniform practice, but I hope it will become the uniform practice. Five thousand dollars is the amount that is usually put in the appropriation bills.

Mr. LA FOLLETTE. Mr. President, will the Senator from Indiana yield?

Mr. MINTON. I yield.

Mr. LA FOLLETTE. Let me ask the Senator if it is not a fact that in the work of the Antitrust Division some of the attorneys do not remain with the Division a great length of time, but come in and work on specific cases, and when the cases are disposed of, go back to their private practice. If I am correct in that assumption, it seems to me it is an additional argument in favor of the amendment of the Senator from Indiana, because it should not be necessary, in order that a man may be retained to do specific work in the Department, that his nomination should have to come before the Senate and be confirmed.

Mr. MINTON. The Senator is correct in his observation. We have distinguished lawyers in various divisions of the Department of Justice who are perfectly capable of making proper selections of lawyers in minor capacities there. It does not seem to me to be at all necessary for the Senate to concern itself about the approval of the nomination of anyone having a salary of \$7,500 or under. Frequently the head of the Division, as in the case of the Antitrust Division, wishes to employ a lawyer whom he knows, whose ability he knows, and he wants to set him to work immediately, because it may be necessary to do so. As the Senator from Wisconsin has observed, many of these attorneys are not employed for any fixed period, and are frequently employed for only a short time. But the Department may have knowledge of some lawyer who is particularly qualified for a special job, and it may be necessary that he be put to work on that job immediately. Therefore, it should have authority to employ that kind of a lawyer and put him into the field immediately, instead of having to wait to have his nomination confirmed by the Senate.

Mr. McKELLAR. He can always be given a temporary appointment.

Mr. MINTON. But he could not be paid out of this appropriation, temporarily or permanently, if he received \$7,500 or more, unless his appointment was approved by the Senate. All I say is that that amount should be raised from \$5,000 to \$7,500.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Indiana to the committee amendment on page 59, line 15.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 59, beginning in line 9.

Mr. LEE. Mr. President, I had intended to make a statement in support of the increased appropriation for the Antitrust Division, but it seems unnecessary to take the time of the Senate to do so. Therefore, in order that the material which has been furnished me by the Department may be available to the Senate, I ask unanimous consent to have a statement printed in the RECORD as part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement presented by Mr. LEE is as follows:

PROTECT THE CONSUMER BY FREEDOM OF TRADE BETWEEN THE STATES

The narrow question before us is how much we are willing to appropriate for the Sherman Act. The real issue is whether this Congress is willing to do anything to protect the American consumer. Holding down the appropriation of the Antitrust Division is not an economy measure. It does not mean that the Government will spend less than if this appropriation were increased by another quarter million. It means just the opposite. For every dollar we cut off this appropriation we lose more than a dollar of fines from violators of the law. Already this year the United States Treasury has collected in fines from violators of the antitrust laws more than three times the amount which the Antitrust Division has spent in preparing and trying the cases. Of course, we would not appropriate money just to collect these fines, but if we think the law is worth enforcing economy does not offer us a shadow of an excuse for not enforcing it. It not only costs us nothing to enforce it, it costs us less than nothing.

We are preparing to spend nearly a billion dollars for commodities in industrial markets highly organized and shot through with restraints of trade. The only insurance the consumer has to prevent that spending from raising prices instead of lowering them is the maintenance of competition in industry.

In many industries, particularly the equipment industries, prices have been kept high for years on the plea that with so small a volume a high price was necessary to prevent bankruptcy. In some of these industries in which markets are controlled we have increased volume by spending and subsidies, but the consumer has seen prices rise with increased volume instead of falling. It has not worked. No one is satisfied. And today the consumer is demanding as the first obligation of Government the removal of artificial restraints and trade barriers so that he can buy in a free market.

The consumer today wants tangible evidence of some practical action to protect his interests. The experience of the past year, particularly in the building industry, has shown the consumer that the best practical action to protect his interest is in the Nation-wide enforcement of the Sherman Act. He is today making his voice heard in support of that enforcement in the distribution of other necessities.

The American consumer has been unorganized and unrepresented for a long time. He is beginning to organize today. He is demanding representation. He is tired of seeing a rising prosperity suddenly end in what the economists call an inventory boom which he knows simply means unsold goods and will result in unused productive capacity. And it is for that reason that this small appropriation has a significance which goes far beyond its dollars and cents figures. It is an attempt to revive a traditional economic policy which has been too long forgotten—the policy of maintaining free competitive enterprise. Indeed, this appropriation is one of the few gestures, and perhaps the only gesture, which is being made by this Congress in the consumer's defense. We are appropriating billions for subsidies, for national defense, for public works, for relief, for Government guaranties of private credit, but most of this money must inevitably be spent in highly organized industrial markets, and all we are willing to give to protect the American consumers from the extortions which inevitably arise from large purchases in highly organized markets is less than a million and a half; and there are some who wish to cut down even that insignificant amount.

The consumer has been kicked around long enough. He has suffered long enough from the idea that economic salvation lies in restricting production and raising the prices which he must pay. He has cheerfully submitted to paying taxes for Government subsidies and Government credit given for the benefit of agriculture, housing, industry, public works, and relief, in the hope that they would be a stimulus to greater volume of production and thus give him more of the goods which he needs at the lower prices which increased volume should afford him. He is becoming tired of seeing those very subsidies and that very credit used to subsidize inefficient methods of distribution; to perpetuate the power of those who are restraining free trade in America.

The consumer has seen what has happened in industry after industry. The most familiar example of the kind of thing the consumer is tired of is found in the construction industry. In 1936, under the influence of Government subsidy and credit in the construction industry, the volume of housing doubled—the housing boom looked to be on the way. Everybody hoped for the increased purchasing power which that vast area of possible employment might give. What happened? In spite of the fact that there was no scarcity of labor or materials, in 10 of our principal cities the cost

of a house to the ordinary consumer went up 25 percent. The ordinary citizen on a low income, needing a roof over his head, was set back on his heels 25 percent of the entire cost of the house because of this greater volume of subsidized production. Thus the consumer had to pay for the housing program in two ways—first, out of increased taxes, and second, out of increased prices. The consumer is learning that he is in danger of being consumed himself. He thinks that if he pays these taxes it is enough without also paying increased prices. Today he wants the restraints of trade which create that situation removed from the industry. He sees no reason for the hundreds of petty exactions which organized groups in the building industry are taking out of his pocket. He does not understand why subsidized housing should not reduce the prices instead of raising them.

AID TO FARMERS

One of the greatest groups of consumers is the farmers. Farmers are unorganized. When prices drop they must produce more in order to buy the goods they need, and this makes prices drop still further. To meet this unbalanced situation the farmer has been getting, and is probably going to continue to get, temporary subsidies to help him out of a situation where farm products are losing their value as a medium of exchange for manufactured goods. The farmer is observing, however, that his own subsidies are reacting on the prices of things he would buy in the same way that they reacted in the building industry. He needs gasoline to run his farm. He observes the great oil companies claiming the right to put a floor under gasoline prices. Gasoline sold at prices which he can afford to pay is called distress gasoline and removed as a competitive evil. At the same time he observes that the price of the can in which his product is sold represents 40 percent of the wholesale price of the entire product, and 15 percent to 25 percent of the retail price. He sees the price of bread go up for no reason that can be explained by the law of supply and demand.

The farmer in his capacity as a consumer is not an unreasonable man. He is not opposed to size in industry where that size passes on the efficiency of mass production to consumers. He only thinks that he has a right to demand that the privileges of large organizations should be limited to those who use them for cheaper distribution, and that such privileges should be taken away from those who use them to erect an economic toll bridge across the road of trade.

The consumer needs protection today as he never needed it before because we have passed and are probably going to pass laws, which if abused will throw our price structure still further out of balance. We are giving special privileges to retailers. We must see that they are not abused. The Government is going to make huge purchases for war materials. We must see that they are a stimulus to industry instead of a further burden on consumers. There is only one practical way of removing barriers to the distribution of goods, and that is to take up one industry at a time and one product at a time. There is only one instrument which has survived the test of 50 years which permits us to take up one industry at a time and that is the Sherman Antitrust Act.

I feel it is my duty as a representative of an agricultural State to attempt to get a consumer movement started in this country to get consumers to realize what the freeing of competitive forces and the removal of obstacles to free trade within the States will do in giving them more goods. I want to see this movement started with respect to the necessities which the American public must buy and those which the Government must buy. I want to see this done in housing. I want to see it done in war materials. As a representative of the farmers I would like to see commenced on a broad front the removal of restraints from the distribution of food products. And finally, I want to see the trade barriers between the States, which I believe to be in violation of our antitrust laws, removed by effective prosecution.

For the first time in our history we are beginning to enforce the Sherman Act, and with that enforcement is coming a public response which proves to me that the consumers are waking up. I am informed by a valuable agency, the Consumers' Counsel, that there are over 1,400 active consumer organizations in the country today. I want to see them educated as to what free trade within the borders of America can do for them. I am not talking about protective tariffs against other nations. That is not involved here. Whatever our policy on such questions may be, I think no reasonable man can deny the necessity of free exchange of goods within our own borders without paying tribute to unnecessary organizations which use their power against the interests of the consuming public.

This broad question of maintaining our traditional American policy is involved in the appropriation which I am discussing. The appropriation is not sufficient but at least it is a start. To spend hundreds of millions for war materials in a highly organized market without at least this protection is incredible folly. To spend money for subsidies, or credit, in an organized market and expect them to have a stimulating effect, without at least this insurance, is plain stupidity. In the last war we went through the experience of letting price fixing by private organizations get out of control. I know of no excuse for our going through it again.

LOWERS COST OF HOUSING

There can be no doubt that the American people want the antitrust laws enforced. In the half century since the passage of the Sherman Act there has never been a time when either political party platform has mentioned the antitrust laws except to endorse them

and to call for their enforcement. Last year Congress gave the Division enough money for the first time to make a systematic attack upon restraints of trade that affect housing. The public acclaim of that work has been practically unanimous.

Why do the American people want the antitrust laws enforced? There are two reasons. The first is that they know from the point of view of their own incomes and their own jobs that any failure to enforce these laws is a false economy. It is estimated that within the last year the buyers of goods in seven industries have been saved about \$270,000,000 as a result of antitrust investigations. Suppose that these estimates are exaggerated by as much as 250 percent. The American people are still getting back, in these seven industries alone, \$100 for each dollar spent by the Division. In the city of Pittsburgh last year two low-cost housing units were being built, practically identical in size and specifications. The Antitrust Division began to investigate price-fixing rings in the building industry after the bids had been let on the first but before they were let on the second. As a result of its work, the cost per room in the second unit will be \$188 less than the first—a total of \$1,100,000 saving in the cost of the project. Every family which wants to build a house and every family which rents one and knows that the rents are affected by the cost of construction, understands that its housing bill will be lower when houses are built without conspiracies to fix prices. On this one Pittsburgh project the saving was nearly as large as the whole appropriation for the Antitrust Division. Is it any wonder the American people think it would be false economy not to enforce the antitrust laws? Is it any wonder that newspapers throughout the country have carried editorials of alarm and remonstrance for fear the housing campaign of the Antitrust Division might be endangered through lack of funds?

What is true of housing is true of many other things that the American people buy. During the last year the Antitrust Division has been investigating fertilizer and the basic raw materials of which it is made. Potash is one of these materials. Nearly half of our supply of potash in recent years has come from foreign sources, most of which are cut off by the war. During the first World War, when we were far more dependent upon foreign supplies, the price of potash went up from about \$45 a ton to more than \$400 a ton. The recent investigation by the Antitrust Division has been directly responsible for the fact that domestic producers have announced that although imports have been cut off by the war blockade, the price of potash to the farmer will not be increased. It has been estimated that an increase of from \$10 to \$15 per ton might have been anticipated and that the savings to the farmers because of this pledge of the domestic producers amounts to from four to six million dollars, three or four times the total budget of the Antitrust Division. Is it surprising that American farmers believe that it will be false economy to deny the Antitrust Division the money it needs to keep prices down?

The cases I have discussed come from work already in progress. The effect already accomplished in such investigations as those of housing and fertilizer will be dissipated if the Division's appropriation is not increased. Why is it that in Pittsburgh when the electrical contractors were indicted, prices fell not only on electrical work but on sand and gravel, lumber, plumbing, and other building supplies? It is because people in these other trades knew that unless they cleaned house it would only be a matter of time before they, too, would be called before a grand jury. The deterrent effect of antitrust prosecutions depends upon the fact that the Government stands ready to undertake more prosecutions if they should be necessary. But the Antitrust Division has now started so many cases and indicted so many people that its present appropriation will scarcely be adequate to try the cases that are already in progress. To renew this appropriation unchanged is to offer a practical guaranty to the groups that have not yet been indicted that they have nothing to fear. It is to give them an assurance that the lightning will not strike again for at least 1 more year. Indeed, it is to prevent the trial of some of those who have already been indicted or investigated, for the Division estimates that at least a million and a half dollars will be needed merely to carry on the work on cases already under way. There is no simpler way to change the great investigations of housing and fertilizer from constructive methods of restoring competition in whole industries into mere punitive activities against a small number of unfortunate individuals. It is false economy to destroy the effect of the work already done.

But even in the housing investigation the Division is still doing only part of its job. It is also a false economy not to appropriate enough money to meet the more pressing needs for the same kind of work in other cities. Unless the appropriation is increased, important cities which have not yet been reached by the effects of the housing campaign will continue to suffer from restraints upon building which make low-cost housing impossible. At points as far apart as Atlanta, Ga., and Great Falls, Mont., the Antitrust Division has been urged to investigate housing conditions by the local housing authority, which feels that its efforts to provide low-cost housing are being intolerably handicapped by cost-raising combinations. In Portland, Oreg., the school board and the chamber of commerce have both asked the Division to investigate; in Peoria, Ill., a request has come from the local realty board and the local manufacturers' and merchants' association. In addition to organized appeals such as these, the Division constantly receives appeals from groups and individuals in the building industry. At present such appeals have to be filed without action because the Division has not men enough to investigate them.

SAVES CONSUMERS MILLIONS OF DOLLARS

Unless the appropriation is increased the Division cannot break up the combinations which raise the price of milk in other cities

as it broke up those in Chicago. After the milk rings in Chicago were indicted under the Sherman Act, the price of milk there fell from 2 to 4 cents a quart, saving Chicago consumers at least \$7,000,000 annually. After the judge dismissed the indictment the retail price rose again, and after the Supreme Court reversed him, the price once more went down. Today most Chicago consumers are getting their milk at least 2 cents cheaper without any reduction in the price paid to the farmer. Consumers in Lincoln, St. Louis, Los Angeles, Pittsburgh, Birmingham, and New Orleans are just as anxious as those in Chicago to buy their milk without paying an unnecessary toll to organized middlemen.

It is also false economy to prevent antitrust investigations from being extended to other basic industries. The Division should be allowed to investigate not only housing but the other major items on which the consumer spends his income. Consider food. From 15 to 25 percent of the retail value of canned foods is represented by the cost of the container alone. There are complaints of price-fixing by canning companies, can manufacturers, bread manufacturers, cheese manufacturers, and milk distributors. The income of the farm producer today is far below its prewar parity in spite of special efforts of the Government to help him. The food manufacturing and distributing industries are taking an ever larger share of the consumer dollar. From time to time there have been sporadic prosecutions of particular groups—meat packers in 1920, poultry dealers in 1924 and 1930, wholesale grocers in 1924, peanut shellers and fish wholesalers in 1925 and 1933, bakers in 1926, candy jobbers in 1928, sugar refiners in 1931, and cornstarch manufacturers in 1932. But there has never been a systematic effort to deal with the restraints that raise the cost of food as the Antitrust Division is now dealing with the restraints that raise the cost of housing. The American people, who annually spend about \$14,000,000,000 for food, would not regard \$100,000 to do this work as an extravagance. Rather, they will regard the refusal to do it as a false economy.

The consumer has no money to spend in paying tribute to monopolies and combinations in restraint of trade. He wants the antitrust laws enforced as a simple and practical way of increasing his standard of living. It is just as important to him not to be unreasonably taxed by arbitrary monopolies and private combinations as it is not to be unreasonably taxed by his Government.

When any considerable number of such combinations are engaged in restraining trade, their restricted output destroys jobs and cuts off workers' incomes, their restricted purchases of supplies reduce the farmers' market, and their high prices make it impossible for the consumer to buy. The ordinary man tries to make ends meet with a smaller income to be spent at higher prices. Such restrictive combinations create idle equipment, unemployment, and unsold inventories. They intensify the need for unemployment relief and so heighten the problems of taxes and unbalanced budgets. They lower the farmers' selling prices and raise his buying prices and thus require farm subsidies which unbalance the budget still further. The community's inability to buy becomes a reason for business to discharge more men, paying less for raw materials, and keep prices high in order to break even on a low volume of production. The unemployment relief and farm subsidies become an argument for lack of confidence in Government spending policies and so for a further refusal to produce goods in quantity at low prices. The problems of economic balance and of Government finance are difficult enough at best; but when they are complicated by widespread restraints which stop commerce they become insoluble. The American consumer realizes that enforcement of the antitrust laws is a necessary part of any policy which is to take consumers off relief and subsidies and give them again a steadily rising national income and a rising standard of living.

It is not only the consumer interest which demands the removal of obstacles to trade in the United States. To the American farmers a business community which restrains trade is one which cuts down the volume of buying of farm crops, which combines to buy farm produce at low prices, and which then combines to sell the farmer the finished product at high prices. The Division is now investigating the tobacco industry to discover why the net profits of a few large tobacco manufacturers are from 33 percent to 100 percent as large as the gross income from tobacco received by farmers in the four leading tobacco States. The Farm Bureau Federation recently expressed the farmer's desire for enforcement of the antitrust laws by adopting a resolution heartily commending such enforcement, whether against labor, industry, or agriculture.

The interests of the American workingman require that the antitrust laws be enforced. Combinations that restrain trade are combinations that limit the number of jobs and increase the amount of unemployment; and when unemployment is large, wage rates are vulnerable. So long as a high level of industrial activity creates more jobs and higher wages than does a stagnant industry, the interests of labor will be served by enforcing the antitrust laws.

Finally, the interests of businessmen require the enforcement of the antitrust laws. A single combination to restrain trade looks attractive to its members, but similar combinations by other businessmen do not. In a field such as housing, in which restraints have become general, every group in the industry has been urging the Antitrust Division to end an intolerable situation. No one has a more direct interest in freedom to do business than businessmen themselves. It was a businessman who complained to the Antitrust Division that he was not allowed to buy building materials and had to have them bootlegged to him at night by a friend whose purchases were acceptable to the ring. It was businessmen who told the Antitrust Division that they were not allowed to engage in the business of glazing wood sash in Cleveland because a single concern had been set up there to monopolize that market and no other sash would be installed. It is businessmen such as these who look to the

Antitrust Division to preserve their freedom to buy, their freedom to sell, and their freedom to set their own prices. When a broad campaign like that in building offers a chance of reviving the whole industry, the businessmen involved gain as directly as the consumer, and the entire business community gains from the increased markets which result from more jobs and a higher level of production.

INDUSTRY AND CONSUMER BOTH GAIN

Many parts of American public policy involve a conflict of interest between those who are hurt and those who are helped by the Government's action. The antitrust laws are not of this character. For 50 years the ideal of the antitrust laws has furnished a common ground for American political groups and economic interests, but during most of that time this ideal was expressed in ceremony rather than in administration. Within the last 2 years we have seen the development of a plan to enforce the antitrust laws effectively. Within the last year we have seen the first examples of how that plan works and we have found that it is practical, that it gets results quickly, and that it wins general support. Only one question remains. Do we want to carry out the plan or do we want to find some way of running away from it? To limit the work of the Antitrust Division to what is now being done is probably an even more effective way of defeating the enforcement of the antitrust laws than to cut the appropriation, for the public may not notice the first and it would certainly notice and resent the latter. The enforcement of these laws means that the Antitrust Division must continue to grow until it has a large enough staff to deal with several major industries at once and to continue to watch those in which it has already restored competition. To stop that growth is to reject the laws at the very time when there is a chance to make them effective. It is to say that we want to make antitrust law enforcement once more a mere ceremony; we do not want to make it a fact.

This is the simple issue that lies before us today. Shall we say we only believe in the antitrust laws so long as we are sure they will not be effective? Or shall we provide for a further step toward restoring and preserving competition in our major industries and thereby save money both for the Government of the United States and for the American people?

I believe that removal of restraints which block the exchange of goods between farmers and organized industry, and the distribution of goods to low-income groups constitutes one of the most important domestic issues which confront us today. I think that it is time to stop talking and get down to the tiresome, detailed, but necessary, job of examining one industry at a time by the case by case method of our common law judicial process which has developed in 50 years through the Sherman Act. And I want to do my part in helping the consumers of America realize the importance of this issue.

The Antitrust Division's appropriation is unlike most of the others with which we have to deal. We are appropriating, not for a going concern, but for one which is just getting started. Until 4 years ago so few people and so little money were used to enforce the antitrust laws that the so-called enforcement was a mere ceremonial. Not until last year did we give the Antitrust Division as much money as we give to the National Capital Park and Planning Commission, or the Smithsonian Institution. Even with the present appropriation we are asking the Division to enforce the antitrust laws throughout the United States on less than half the sum we appropriate for the Police Department of the District of Columbia. The coordinated investigations of major industries, which ought always to have been the center of the Division's work, were only begun last year. Every lawyer knows that it costs more to try an antitrust case than to investigate it. We committed ourselves last year to a scale of investigation which automatically calls for an increased appropriation this year to finish the work. The question here is not economy. Enforcement actually brings in revenue. The only question is, Do you want these laws enforced or do you not?

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 59, lines 9 to 17, inclusive.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, on page 61, line 7, after the word "elsewhere", to strike out "\$375,000" and insert "\$325,000", so as to read:

Salaries and expenses, veterans' insurance litigation: For salaries and expenses incident to the defense of suits against the United States under section 19 of the World War Veterans' Act, 1924, approved June 7, 1924, as amended and supplemented, or the compromise of the same under the Independent Offices Appropriation Act, 1934, approved June 16, 1933, including office expenses, lawbooks, supplies, equipment, stenographic reporting services, by contract or otherwise, including notarial fees or like services and stenographic work in taking depositions at such rates of compensation as may be authorized or approved by the Attorney General, printing and binding, the employment of experts at such rates of compensation as may be authorized or approved by the Attorney General, and personal services in the District of Columbia and elsewhere, \$325,000.

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Mr. BARKLEY. Mr. President, I wish to inquire of the committee what facts were taken into consideration in reducing the appropriation by \$50,000. The Bureau of the Budget recommended \$425,000 for this particular service. The House reduced that amount by \$50,000. The Senate committee has reduced it by another \$50,000. What were the facts justifying the further reduction?

Mr. McKELLAR. Mr. President, I shall be very happy to state what the committee had in mind.

The war-risk insurance business has been dwindling very rapidly in the past few years. Several years ago every court in the country was full of war-risk insurance suits, and the Department asked for and obtained an appropriation of about \$300,000 to defend such suits in the various courts of the country. Almost every district court in the country was full of them.

They have now decreased to the point where there are very few cases. There are only 1,231 cases pending in the entire country. While the cases have greatly dwindled in number, the appropriation has gone down exceedingly slowly. After a most careful examination of the witnesses in connection with the item, and a careful examination of the proof, we came to the conclusion that \$325,000 was ample to defend the remaining 1,231 war-risk insurance cases.

Some of the cases have been pending for 10 years. Hardly a lawsuit in any court in which the case has been pending for 10 years is of very much value to the litigants. A plea of laches could probably be brought in any such case. The cases are not as important as they were. Last year the committee gave notice to those who had charge of this division that the appropriations must come down. We believe that the district attorneys in the several districts should handle every one of the 1,231 cases. A small organization in Washington is needed to give the facts, although I think the Veterans' Bureau has the facts. The Department of Justice engaged in war-risk cases in Washington, D. C., must obtain the facts from the Veterans' Bureau; and there is no reason why the Veterans' Bureau cannot give the information directly to the district attorney in each district, and thereby save the Government quite a large sum.

If there ever was justification for the reduction of an appropriation, the lack of business in this case is ample justification. I know one district which was said a few years ago to have more war-risk insurance cases than any other district in the country. Today that district has two cases.

Mr. BARKLEY. Mr. President, I wish to submit for the RECORD a statement which has been furnished to me by the Department of Justice with reference to this particular item. The statement is as follows:

The Bureau of War Risk Litigation was organized as a Division in the Department of Justice in September 1933 pursuant to Executive Order No. 6166. Its function is to defend suits against the United States on contracts of war-risk term and United States Government life insurance, authorized by the War Risk Insurance Act of October 6, 1917 (40 Stat. 393), revised and reenacted by the World War Veterans' Act of June 7, 1924 (43 Stat. 607), and subsequent amendments. Prior to September 1933 this litigation was largely handled by the Veterans' Administration and United States attorneys. Since that date sole responsibility for the defense of this character of litigation has been fixed in the Department of Justice.

There were approximately 11,800 cases pending when the Bureau of War Risk Litigation took the work over, and 3,336 new cases have been instituted since then. Over 13,500 cases have been disposed of by this Bureau during the little more than 6 years it has functioned, of which approximately 88.7 percent were won by the Government, representing a saving to the Government of approximately \$135,899,446.40.

There were 1,231 cases pending as of January 1, 1940, involving an estimated liability of approximately \$16,987,800. New suits are being brought at the rate of 20 to 30 each month. In general each case involves a minimum contractual liability of \$13,800. In this connection it is important to note that there were 606,071 insurance contracts in force as of June 30, 1939, involving a potential liability to the Government of \$2,562,353,868, aside from those now in litigation, and it is reasonable to expect that many more suits will arise from these policies.

The Bureau is composed of a Director, a Trial Division, a Compromise Division, and an Appeals Division. There are 73 attorneys and 79 stenographers, clerks, and messengers employed in the Bureau, Central Office, and field, representing a monthly pay roll of \$37,061.21.

The appropriation for the current fiscal year (1940) was \$485,000. The Bureau of the Budget recommended \$425,000 for the next fiscal year. The House reduced this to \$375,000 and the Senate committee has recommended a further cut to \$325,000. This reduction, if adopted, will necessitate the termination of the services of from 25 to 40 persons. It will also mean fewer cases can be disposed of during the next year, which means a delay to those veterans entitled to receive insurance benefits. It may also mean insufficient preparation and perhaps inadequate representation of the Government in those cases which are tried. The loss of five cases would more than offset the saving represented by the \$50,000 cut proposed by the Senate committee.

In voting on this amendment I think the Senate should have the benefit of the statement prepared by the Department of Justice.

Mr. McKELLAR. Mr. President, before the vote is taken, let me say that in this Division in 1937 there were 75 attorneys, and there were 5,125 cases all told, or an average of 68 cases for each attorney; in 1938 there were 71 attorneys and 3,874 cases, or 54 cases for each attorney; in 1939 there were 73 attorneys and 2,679 cases, or 36 cases for each attorney; in 1940 there were 73 attorneys and 1,663 cases in all, or 23 cases for each attorney.

Most of us have practiced law and some of us very vigorously. I should feel almost ashamed, as a trial lawyer, if I could not try more than 23 cases a year, and yet that would be all that would be imposed upon each of the attorneys in this Division. The number would be even less than that. I believe next year there would be about 18 cases for each lawyer if the appropriation were made substantially what it is for the current year.

I very much hope the reduction will be agreed to.

Mr. KING. Mr. President, I shall be glad to be corrected if I am in error, but my understanding is that the lawyers do not try all of the cases attributed to them. A case may be assigned to a lawyer and he may examine it and there may not be any trial.

Mr. McKELLAR. Not only that, but if a lawyer goes from Washington to Connecticut, Massachusetts, New Hampshire, or Nebraska and tries a case without regard to the local district attorney, he is doing a very doubtful piece of business for the reason that local attorneys have every advantage, and the district attorney ought to be required to try the cases. The best results are obtained when the district attorney is required to try the cases.

I suggested to those who appeared before the committee that next year they had better look to having all the work done by the local district attorneys and by the proper organization in the Bureau in Washington. I think probably in another year, if the cases follow the reductions shown by the figures for the past 4 years, the number of cases will be reduced to such an extent that there will be no necessity for any appropriation for a separate organization.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 61, line 7.

The amendment was agreed to.

The next amendment was, on page 63, line 7, after the word "duties", to insert a colon and the following additional proviso: "Provided further, That no part of this appropriation shall be used for the payment of any person hereafter appointed at a salary of \$5,000 or more and paid from this appropriation unless such person is appointed by the President, by and with the advice and consent of the Senate," so as to read:

Salaries and expenses of special attorneys, and so forth: For compensation of special attorneys and assistants to the Attorney General and to United States district attorneys employed by the Attorney General to aid in special cases, and for payment of foreign counsel employed by the Attorney General in special cases, \$575,000, no part of which, except for payment of foreign counsel, shall be used to pay the compensation of any persons except attorneys duly licensed and authorized to practice under the laws of any State, Territory, or the District of Columbia: *Provided*, That the amount paid as compensation out of the funds herein appropriated to any person employed hereunder shall not exceed the rate of \$10,000 per annum: *Provided further*, That reports be submitted to the Congress on the 1st day of July and January showing the names of the persons employed hereunder, the annual rate of compensation or amount of any fee paid to each together with a description of their duties: *Provided further*, That no part of this appropriation shall be used for the payment of any person hereafter appointed

at a salary of \$5,000 or more and paid from this appropriation unless such person is appointed by the President, by and with the advice and consent of the Senate.

The amendment was agreed to.

The next amendment was, under the subhead "Penal and correctional institutions," on page 68, after line 14, to strike out:

Probation system, United States courts: For salaries and expenses of probation officers, as authorized by the act entitled "An act to amend the act of March 4, 1925, chapter 521, and for other purposes," approved June 6, 1930 (18 U. S. C. 726), \$810,000.

Mr. McKELLAR. Mr. President, I should like to explain this amendment to the Senate. Congress passed a law giving authority to the officers of administration in the judiciary, and we turned over to this organization of the judiciary certain functions previously performed by the Department of Justice. The language is merely transferred to another part of the bill. The appropriations are given to the functionaries who perform the duties under the new law.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment reported by the committee will be stated.

The next amendment was, on page 69, line 14, after the word "sidewalks", to strike out "\$1,750,000" and insert "\$1,550,000", so as to read:

Support of United States prisoners: For support of United States prisoners in non-Federal institutions and in the Territory of Alaska, including necessary clothing and medical aid, discharge gratuities provided by law, and transportation to place of conviction or place of bona fide residence in the United States, or such other place within the United States as may be authorized by the Attorney General; and including rent, repair, alteration, and maintenance of buildings and the maintenance of prisoners therein, occupied under authority of sections 4 and 5 of the act of May 14, 1930 (18 U. S. C. 753c, 753d); support of prisoners becoming insane during imprisonment and who continue insane after expiration of sentence, who have no relatives or friends to whom they can be sent; shipping remains of deceased prisoners to their relatives or friends in the United States and interment of deceased prisoners whose remains are unclaimed; expenses incurred in identifying, pursuing, and returning escaped prisoners and for rewards for their recapture; and for repairs, betterments, and improvements of United States jails, including sidewalks, \$1,550,000.

Mr. DANAHER. Mr. President, while we are on page 69 may I ask the Senator from Tennessee a question?

Mr. McKELLAR. Certainly.

Mr. DANAHER. May I invite his attention to page 69, line 20, and ask him if there is any reason he can tell us why we should not strike out the word "hereafter" in line 20?

Let me read the provision as it would read with the word "hereafter" eliminated:

None of the funds appropriated by this title may be used to pay the compensation of any person employed as an attorney unless such person shall be duly licensed and authorized to practice as an attorney under the laws of a State, Territory, or the District of Columbia.

There is no reason, is there, may I ask the Senator from Tennessee, why we should now be hiring as attorneys persons who are not entitled to practice as such?

Mr. McKELLAR. Mr. President, there are a few men in the Department of Justice—I have forgotten just how many—who have been performing the work of lawyers for many years. My general recollection is there are fewer than 10 of them all told. The language referred to by the Senator from Connecticut has been employed in order to protect those men who have been in the Department a long time. It has no reference to anything else, except to a few men who may not have been duly licensed to practice law but who have learned the law, who have made efficient officers, and the Department of Justice did not want to turn them out; they are mostly old men who have been there for many years.

Mr. DANAHER. Then, it would be the position of the committee that from now on there should not be any such person hired?

Mr. McKELLAR. That is correct; that is the intent of the provision.

Mr. DANAHER. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee on page 69, line 14.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment will be stated.

The next amendment was, on page 71, after line 15, to insert:

This title may be cited as the "Department of Justice Appropriation Act, 1941."

The amendment was agreed to.

The next amendment was, under the heading "Title IV—The Judiciary—Court of Claims", on page 74, line 13, after the word "court", to strike out "\$127,660" and insert "\$131,000", so as to read:

Salaries: Chief justice and four judges; chief clerk at not exceeding \$6,500; auditor at not exceeding \$5,000; and all other officers and employees of the court, \$131,000.

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous items of expense", on page 78, after line 17, to insert:

Probation system, United States courts: For salaries and expenses of probation officers, as authorized by the act entitled "An act to amend the act of March 4, 1925, chapter 521, and for other purposes", approved June 6, 1930 (18 U. S. C. 726), \$310,000: *Provided*, That the salary of no probation officer shall be less than \$1,800 per annum nor more than \$3,000 per annum: *Provided further*, That nothing herein contained shall be construed to abridge the right of the district judges to appoint probation officers, or to make such orders as may be necessary to govern probation officers in their own courts.

The amendment was agreed to.

The next amendment was, on page 79, line 14, before the name "United States", to insert the word "ten", so as to read:

Miscellaneous expenses (other than salaries): For such miscellaneous expenses as may be authorized or approved by the Director of the Administrative Office of the United States Courts, for the United States courts and their officers, including rent of rooms for United States courts and judicial officers; supplies and equipment, including the exchange of typewriting and adding machines, for the United States courts and judicial officers, including firearms and ammunition therefor; purchase of law books, including the exchange thereof, for United States judges, and other judicial officers, including the libraries of the ten United States circuit courts of appeals, and the Federal Reporter and continuations thereto as issued, \$317,000:

The amendment was agreed to.

The next amendment was, on page 80, line 3, after the name "Judiciary", to strike out "\$250,000" and insert "including traveling expenses of probation officers and their clerks, \$473,000: *Provided*, That this sum shall be available, in an amount not to exceed \$4,000, for expenses of attendance at meetings concerned with the work of Federal probation when incurred on the written authorization of the Director of the Administrative Office of the United States Courts: *Provided further*, That United States probation officers may be allowed, in lieu of actual expenses of transportation, not to exceed 3 cents per mile for the use of their own automobiles for transportation when traveling on official business within the city limits of their official station", so as to read:

Traveling expenses: For all necessary traveling expenses, not otherwise provided for, incurred by the Judiciary, including traveling expenses of probation officers and their clerks, \$473,000: *Provided*, That this sum shall be available, in an amount not to exceed \$4,000, for expenses of attendance at meetings concerned with the work of Federal probation when incurred on the written authorization of the Director of the Administrative Office of the United States Courts: *Provided further*, That United States probation officers may be allowed, in lieu of actual expenses of transportation, not to exceed 3 cents per mile for the use of their own automobiles for transportation when traveling on official business within the city limits of their official station.

The amendment was agreed to.

The next amendment was, on page 80, after line 16, to insert:

As used in this act, the term "circuit court of appeals" includes the United States Court of Appeals for the District of Columbia; the term "senior circuit judge" includes the chief justice of the United States Court of Appeals for the District of Columbia; the term "circuit judge" includes associate justice of the United States Court of Appeals for the District of Columbia; and the term "judge" includes justice.

The amendment was agreed to.

The next amendment was, under the subhead "Administrative Office of the United States Courts", on page 81, line 9, after the numerals "1223" and the parenthesis, to strike out "\$177,500" and insert "\$192,500", so as to read:

Salaries: For the Director of the administrative office of the United States courts, the Assistant Director, and for other personal services in the District of Columbia and elsewhere, as may be necessary to enable the Director to carry into effect the provisions of the act entitled "An act to provide for the administration of the United States courts, and for other purposes," approved August 7, 1939 (53 Stat. 1223), \$192,500:

Mr. DANAHER. Mr. President, I should like to ask the Senator from Tennessee if there is in the hearings before us anywhere an explanation of the increase which appears on page 81, line 9?

Mr. McKELLAR. That is not an increase; it is merely a transfer of so much money from the Department of Justice to the Judiciary.

Mr. DANAHER. Yes; but I notice that the House reported the same transfer at \$177,500 while the Senate committee recommends \$192,500. I am not complaining about it; it is probably entirely correct. I merely wish to know if it is explained in the hearings.

Mr. McKELLAR. Yes; it is explained in the hearings. On pages 146 and 153 the Senator will find the whole transaction explained. It is merely a transfer of funds. The total amount of the bill is not increased by the change in this item.

Mr. DANAHER. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 81, line 9.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next amendment was, under the heading "Title V—General provisions", on page 83, after line 14, to insert:

Sec. 503. No part of the funds appropriated by titles III and IV for salaries of judges, the Attorney General, Assistant Attorneys General, Solicitor General, district attorneys, marshals, and clerks of court shall be used for any other purpose whatsoever, but such salaries shall be allotted out of appropriations herein made for such salaries and retained by the Department or the administrative office of the United States courts and paid to such officials severally, as and when such salaries fall due and without delay.

The amendment was agreed to.

The next amendment was, on page 83, after line 23, to insert:

Sec. 504. No part of any appropriation contained in this act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve of the nomination of said person.

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments as printed in the bill.

Mr. McKELLAR. By direction of the Committee on Appropriations, I offer an amendment to come in on page 3, line 23, which I ask the clerk to read.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 3, line 23, after the words "including rental and repair thereof", it is proposed to insert "translating services by contract without regard to section 3709 of the Revised Statutes (41 U. S. C. 5)."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee on behalf of the committee.

The amendment was agreed to.

Mr. LODGE. Mr. President, the bill is now open to amendment, is it not?

The PRESIDING OFFICER. The bill is before the Senate and open to amendment.

Mr. LODGE. On page 6, line 10, I move to strike out the words "Union of Soviet Socialist Republics."

Mr. President, the effect of the amendment, if adopted, would be to remove the United States Ambassador from Moscow. It is simply a gesture of protest indicative of the feelings which I know are entertained by virtually all Americans.

It is not necessary for me to go into a long history of the various activities of the Soviet Union; they are extremely well known; in fact, it would be accurate to say that they are notorious.

There is every reason to believe that the Soviet Union has not lived up to the understanding which most Americans thought existed at the time our Government extended recognition to it. The removal of our ambassador from Moscow would not endanger the peace of the United States; it would be a negative act; it would not cause us to enter the struggle; it would simply put the Soviet Union on a par with Germany so far as our relations with them are concerned. We do not have an ambassador in Berlin, and it seems to me the same logic impels us to the conclusion that we should not have an ambassador in Russia.

Mr. VANDENBERG. Mr. President, I wish to support the proposal submitted by the able junior Senator from Massachusetts [Mr. LODGE] to withdraw the appropriation to sustain an American Ambassador in Moscow. I think it important that we keep the record straight in connection with these Soviet relationships. I confess I am somewhat perplexed to deal with what is in fact a matter of foreign policy through the medium of an amendment to an appropriation bill.

Mr. MINTON. Mr. President, would that come under the head, if the Senator from Michigan please, of keeping the record straight?

Mr. VANDENBERG. Yes. What I am about to say is that when I am confronted with the necessity of voting an appropriation to maintain an ambassador at Moscow when, in my judgment, the basis upon which we originally sent an ambassador to Moscow, the contract, so to speak, under which the recognition occurred, has been persistently and contemptuously violated, it seems to me that I must resist the appropriation for the salary of the Ambassador as the only method by which I can assert my belief that this broken contract should no longer be acknowledged by the Government of the United States. There comes a point where patience ceases to be a virtue. We cannot defend international integrity by blindly condoning its rape.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield to the Senator from Indiana.

Mr. MINTON. Does not the Senator think that that judgment lies in another branch of the Government; that after all it is not for us to say whether or not that contract has been kept, especially in the indirect manner the Senator proposes to approach it, by denying the appropriation for the salary of the Ambassador to Russia?

Mr. VANDENBERG. But the Senator ignores the fact that I must vote for or against an appropriation to sustain this Ambassador, and I am unwilling to vote for an appropriation to sustain this Ambassador for the reasons which I now intend to submit to the Senate.

Mr. MINTON. One of which is, as I understand, that the Senator does not think we should have an ambassador in Russia.

Mr. VANDENBERG. As I shall presently indicate to the Senator my attitude is based on the clear and unequivocal fact that the Litvinov-Roosevelt correspondence upon which our recognition was made contingent has not been worth a scrap of paper for the last 6 years. It might as well never have occurred—yes, better that it never occurred than that it should be an offense to the dignity and honor and to the domestic security of the United States.

Mr. McKELLAR. Mr. President—

Mr. VANDENBERG. I yield to the Senator from Tennessee.

Mr. McKELLAR. I wish to say to the Senator that I do not differ with him greatly as to the actions of the present Russian Government. I agree with the Senator that the Russian Government has violated its expressed or its implied agreement with this country when we recognized that Government some years ago, and, according to my present feelings, I would have to change my mind if I should not vote for any bill that would do away with our relationship with the present Government of Russia.

The Senator however is a member of the Foreign Relations Committee. The measure before us is an appropriation bill. I recall I think when I first came to Congress nearly 30 years ago that I voted in the other House to break off diplomatic relations with Russia. That was one of the first bills, as I recall, for which I voted early in my service in the Congress, and I am inclined to think I would vote for a similar bill now for the reasons which have been suggested in part by the Senator from Michigan. But I think the proper way to do that is for the Senator to submit a resolution and have it referred to the Foreign Relations Committee, of which I know he is a member, and not undertake to do something indirectly which should be done directly.

Mr. CLARK of Missouri. Mr. President—

Mr. VANDENBERG. I will yield in a moment. I thank the Senator from Tennessee for his suggestion, but I have been here long enough to be something of a realist in dealing with legislative problems. I submitted a very innocent resolution 3 or 4 weeks ago merely asking for a little information about Soviet-American relationships, and that resolution is still in a pigeonhole in the Foreign Relations Committee.

I have a pretty fair idea of how far I would get with a proposition of the pending character if I were to introduce it de novo. The same argument, intensified tenfold, would be made that I was invading the executive function, and it would have far more validity than in the present instance because it would be unrelated to a legislative function.

Not so today. Here is the exercise of a legislative function. Shall we vote \$17,500 for a Moscow Ambassador? I am going to undertake to prove to you that we ought not to do any such thing, and for purely domestic reasons that touch foreign policy only as a resultant incident.

Mr. CLARK of Missouri. Mr. President—

Mr. VANDENBERG. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. If the Senator will permit me for just a moment, I should like to call the attention of the Senator from Tennessee to the fact that there is very high precedent for this very action in connection with this very ministership. President Jefferson, during his first term, sent to the Senate the name of William Short as Minister to St. Petersburg, which was then the capital of Russia. The Congress of the United States, not wishing to have a Minister to St. Petersburg, refused to make an appropriation to send a Minister to St. Petersburg; and Mr. Short, not wishing to go at his own expense, did not go, and so we did not have any ministry to Russia.

Mr. VANDERBERG. I thank the Senator for his historic observation and precedent. He is always helpful.

Mr. McKELLAR. But that was not during a time of war, as I recall.

Mr. CLARK of Missouri. Russia was engaged in a war.

Mr. McKELLAR. But we were not.

Mr. MINTON. Mr. President—

Mr. VANDENBERG. I yield.

Mr. MINTON. That seems to me to be an entirely different case. We already have an Ambassador in Russia, and failure to make this appropriation would be recalling an Ambassador. By our proposed action here we seem to me to be invading the province of the State Department and the Executive Department in determining whether or not the Ambassador who is in Russia should be recalled. That is the effect of what we would do here by not making this appropriation.

Mr. VANDENBERG. That is the Senator's view. I am discussing a pending appropriation, upon which it is the responsibility of the Congress to act, and I am saying that I am unwilling to approve this particular appropriation. That is a legislative function and nothing else. That involves my legislative duty.

This proposal has not anything to do with our neutrality, as the able Senator from Massachusetts has indicated. It has not anything to do with an attempt to help some external cause, like that of Finland or Poland or any other country which is the victim of Soviet duplicity of a different character. It has to do solely with the integrity of the internal situation of the United States in respect to subversive

activities within the United States; and I submit that we have a congressional right to deal with that object on its own inherent merits at any time it confronts us.

Very briefly let us see what the record is.

This whole story of American-Russian relationships starts with Secretary of State Colby, under President Wilson. Secretary Colby declined to recognize Soviet Russia in one of the most powerful state papers ever written, insisting that we dared not fraternize with a regime which openly proposed to make war upon God and upon our institutions, and particularly because it boasted that it never would keep its word if it was to its own advantage to break its word.

Secretary of State Hughes, under President Harding, declined recognition, saying:

There is conclusive evidence that those in control at Moscow have not given up their original purpose of destroying existing governments wherever they can do so throughout the world.

President Coolidge declined recognition, saying:

Our Government does not propose to enter into relations with another regime which refuses to recognize the sanctity of international obligations.

Secretary of State Kellogg, under President Hoover, declined recognition, saying:

It is the conviction of the Government of the United States that relations on a basis usual between friendly nations cannot be established with a governmental entity which is the agent of a group which hold it as their mission to bring about the overthrow of the existing political and economic and social order throughout the world and to regulate their conduct with other nations accordingly.

That brings us down to 1933.

President Roosevelt concluded to end this breach and to bring Soviet Russia and the United States into diplomatic partnership; but he knew he might be dealing with potential treachery, and he sought to tie its hands. Litvinov came over and discussed the matter with the President. They exchanged a series of letters, all dated November 16, 1933. Russia readily agreed to a number of self-serving promises. She agreed to settle her debts; but the most important thing was that she agreed to quit all relationships with internal revolution inside the United States. She agreed to keep her communistic hands off the United States.

Now let us be specific about this matter. I read the Litvinov pledge to the President, the indispensable prerequisite to recognition, the price of recognition, the test of the propriety, and the continuance of recognition.

A promise—

1. To respect scrupulously the indisputable right of the United States to order its own life within its own jurisdiction in its own way and to refrain from interfering in any manner in the internal affairs of the United States, its Territories or possessions.

2. To refrain, and to restrain all persons in Government service and all organizations of the Government or under its direct or indirect control, including organizations in receipt of any financial assistance from it, from any act overt or covert liable in any way whatsoever to injure the tranquility, prosperity, order, or security of the whole or any part of the United States, its Territories or possessions, and, in particular, from any act tending to incite or encourage armed intervention, or any agitation or propaganda having as an aim the violation of the territorial integrity of the United States, its Territories or possessions, or the bringing about by force of a change in the political or social order of the whole or any part of the United States, its Territories or possessions.

3. Not to permit the formation or residence on its territory of any organization or group—and to prevent the activity on its territory of any organization or group, or of representatives or officials of any organization or group—which makes claim to be the Government of, or makes attempt upon the territorial integrity of the United States, its Territories or possessions; not to form, subsidize, support, or permit on its territory military organizations or groups having the aim of armed struggles against the United States, its Territories or possessions, and to prevent any recruiting on behalf of such organizations and groups.

4. Not to permit the formation or residence on its territory of any organization or group—and to prevent the activity on its territory of any organization or group, or of representatives or officials of any organization or group—which has as an aim the overthrow or the preparation for the overthrow of, or the bringing about by force of a change in the political or social order of the whole or any part of the United States, its Territories or possessions.

Mr. President, that pledge on November 16, 1933, repeated verbatim in a letter from the President of the United States

to the Commissar of Foreign Relations of the Union of Soviet Socialist Republics, was the basis of our act of recognition; and there can be no question in the world about it. Without this exchange of correspondence, without these pledges, there still would have been no act of recognition.

Now let us see what happened.

It did not take long to demonstrate that the leopard had not changed its spots and that the undependable Russia of yesterday was still the undependable Russia of today and tomorrow.

First, the debt negotiations broke down. Mind you, they had agreed to negotiate a settlement of their debts. Russia owed us what is now \$394,992,000. There were some desultory conversations on the subject; but on January 31, 1935, the State Department issued a statement which said, in conclusion:

In view of the present attitude of the Soviet Government, we feel that we cannot encourage the hope that any agreement is now possible.

It never was possible. It never has been possible. There never has been any sort of an agreement. Soviet Russia is just as much of a defaulter now as she was on the pious day when she agreed to quit being a defaulter.

Thus came the first, prompt disillusionment; but that was relatively inconsequential, because there are plenty of other defaulters. But 6 months later we came to grips with reality, the thing that counts. Our State Department wrote Moscow as follows—this is Mr. Hull writing to the Commissar of Foreign Relations at Moscow:

Under instructions from my Government I have the honor to call attention to the activities involving interference in the internal affairs of the United States which have taken place on the territory of the Union of Soviet Socialist Republics in connection with the Seventh All-World Congress of the Communist Internationale, and, on behalf of the Government of the United States, to lodge a most emphatic protest against—

What?—

against this flagrant violation of the pledge given by the Government of the Union of Soviet Socialist Republics on November 16, 1933, with respect to noninterference in the internal affairs of the United States.

This is 1935. Please note that the State Department in this communication refers to earlier violations of our understandings. Earlier violations—this was not the first violation. The earlier violations, whatever they were, were condoned; but here was the climax in violation, and it prophesied, according to our State Department, serious consequences. The State Department addressed the situation in stern language.

Russia dismissed the protest as meaning nothing. It had what it wanted, and it was not concerned with subsequent events. It wrote the State Department a curt dismissal of our entire challenge. Whereupon the State Department issued the following statement, from which I quote only in part:

The American Government having previously made oral complaints of failure by the Soviet Government to carry out its pledge, and being deeply concerned over the growing instability of international relationships and the dangerous consequences thereof to peace and economic recovery, sought most earnestly in its note of August 25, to impress upon the Soviet Government the sanctity of its pledge, to the end that there might be between the two Nations continued development of friendly and official relations and valuable collaboration in many beneficial ways. When in its reply the Soviet Government indicated an intention entirely to disregard its promise to prevent such activities as those complained of, it struck a severe blow at the fabric of friendly relations between the two countries.

Two weeks ago I offered a resolution asking for submission officially from the Executive of an answer to the question whether or not at the present time the record shows that the Union of Soviet Socialist Republics had fulfilled the obligations upon which recognition was based. I repeat, that resolution is still in a committee pigeonhole. But the State Department, over the signature of Secretary Hull, did not hesitate frankly and significantly to write the Committee on Foreign Relations a very illuminating letter. In response to my resolution the State Department referred back to this 1935 episode, in its letter of 2 weeks ago, and said that it had made an irrefutable case against Moscow. Irrefutable,

but, alas, again nothing happened. We swallowed the offense, and carried on in our injured innocence. The offense, mind you, was an assault upon the domestic security of our internal institutions. The offense was, in effect, a conspiracy to overthrow the Government of the United States by force.

Then came 1936. Rear Admiral J. K. Taussig, testifying before the House Committee on Appropriations, said:

Members of the Third International are very active in the United States in furtherance of their plan for world revolution, which includes the overthrow of our present form of government.

Please do not mistake me; they are not seriously worrying me with their plans to overthrow our Government by force. We shall take care of that. That is not the point. The point is that our recognition was based upon a contract which has been torn into a thousand pieces of worthless paper. The question is whether or not we should continue to condone an act of international treachery in respect to our own domestic security. The question is whether, in the face of this affront to written engagements with us, America should continue to be the only Republic in this New World, in North and South America, which still maintains full and complete diplomatic hospitality to Moscow. The question is whether we should not emulate our good neighbors, which present a united diplomatic front against the official infiltration of communism.

Now we come to 1939 and 1940. A committee of the House of Representatives to investigate un-American activities in the United States officially reported on January 3, 1940. This is Report No. 1476, of the third session of the Seventy-sixth Congress, House of Representatives, and in the report the committee states:

Hundreds of pages of testimony have established the fact that the Communist Party of the United States can make no more than a superficial claim that it is a political party in the sense in which the American people understand those words. It is, on the contrary, a constituent member of the Communist International and is its agent in the United States. The Communist International in turn is completely dominated by the Communist Party of Soviet Russia.

The committee feels—

The committee being the committee of the House of Representatives—

The committee feels that a careful examination of the facts justifies the assertion that the Communist Party of the United States is a foreign conspiracy masked as a political party.

The committee—

Speaking for the House of Representatives—

The committee is forced to conclude that in practice, the Communist Party is actually functioning as a "border patrol" on American shores for a foreign power—the Soviet Union.

Since the Communist Party of the United States—

Continuing to read the official document and the indictment of the House of Representatives committee itself—

Since the Communist Party of the United States has the avowed purpose of drastically changing the form of government of the United States, it is the opinion of the committee that the party's activities constitute a violation of the Treaty of Recognition entered into between the Government of the United States and the Government of the Union of Soviet Socialist Republics in 1933.

Mr. President, I could proceed in great detail, but I have presented enough.

The contract was made in 1933. It was broken in the first instance almost as soon as it was made. It was broken again, directly and specifically, within 2 years to a degree which called for a vigorous and unqualified protest from our own State Department, which in turn was spurned by Moscow. It has since been broken in innumerable instances, as set forth in great detail in this House document from which I have read. There is no contract any longer in existence, and the fruits of the contract should no longer inure to the Union of Soviet Socialist Republics. International comity and good faith are not one-way streets. The domestic security of the United States is the stake. If it was important enough to defend in the Roosevelt-Litvinov correspondence of 1933, upon which Bolshevik recognition hinged, it is important enough to protect in 1940 in the face of these violated pledges.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. BARKLEY. All the things to which the Senator has alluded occurred prior to the appointment and confirmation of Mr. Steinhardt as Ambassador of the United States to Russia. If we are to concede, as I think is true, that the conduct of our diplomatic relations, the recognition of governments, and the appointment of ambassadors, ministers, and other diplomatic representatives is an Executive and not a legislative function, except insofar as the confirmation of ambassadors may be concerned, does not the Senator think the time to have objected to having an ambassador from the United States to Russia was when his name was sent to the Senate by the President for confirmation by the Senate of the United States, and that he should not wait until he is appointed and goes to Russia and then try to take his salary away from him as a representative of the United States?

Mr. VANDENBERG. The only way in which the original recognition of the Soviet Union came before the Senate was on the question of the confirmation of Mr. Bullitt. It was only in that indirect fashion that we could record ourselves.

Mr. BARKLEY. And the Senate confirmed him.

Mr. VANDENBERG. And the Senator from Michigan voted against confirmation in the committee, spoke against it on the floor, voted against it on the floor, and continues to be consistent with that position now.

Mr. BARKLEY. In spite of that, the Senate confirmed Mr. Bullitt.

Mr. VANDENBERG. That has nothing to do with my point of view.

Mr. BARKLEY. I understand, but it does have something to do with the Senate's point of view.

If I may further interrupt the Senator—

Mr. VANDENBERG. Just a moment. Let me take the Senator question by question, before he overwhelms me with his cumulative inquiries.

Yes; the Senate confirmed Mr. Bullitt, but if the Senate had known that the contract upon which Mr. Bullitt's appointment was based was a fiction and a fraud, it would not have confirmed him for one single moment, and the Senator from Kentucky would have been one of the first to vote against his confirmation.

Mr. BARKLEY. The Senate had all the means of obtaining any information it desired at the time Mr. Bullitt was confirmed.

Mr. VANDENBERG. The Senate could not have known what was going to happen under the contract, because that was in the future.

Mr. BARKLEY. Leaving Mr. Bullitt out of it, since he is no longer Ambassador to Russia but Ambassador to France, and since then all these things have happened to which the Senator has referred, there has been a vacancy in the ambassadorship to Russia, and Mr. Steinhardt has been appointed; and on the 17th day of last March, less than a year ago, the United States Senate confirmed Mr. Steinhardt as our Ambassador to Russia, and it had or could have had the same information then which the Senator from Michigan has now, but it did not obtain it, or, if it had it, it did not act upon it, assuming that it was the presidential function to name ambassadors, subject, of course, to confirmation by the Senate. Having agreed to the appointment as Ambassador to Russia of Mr. Bullitt, and having agreed to the appointment as Ambassador to Russia of Mr. Steinhardt, it seems to me it does not now lie in the mouth of the United States Senate to say that, having confirmed Mr. Steinhardt, we will not pay him for his services.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. VANDENBERG. In just a moment. I think the Senator from Kentucky begs the question. The pending problem is whether or not for the next fiscal year each Member of the United States Senate upon his own individual responsibility is prepared to vote "aye" upon an item of \$17,500 to maintain an ambassador at Moscow. I do not care who the Ambassador is, when he was confirmed, how or why he was confirmed. The pending question is whether the Members of the Senate, in the face of this record, are

willing to vote for the subsistence and maintenance of an ambassador in Moscow during the next fiscal year. And there is not anything in the President's prerogatives that can relieve me from the responsibility of facing that legislative responsibility. That is the thing I am facing in connection with the statement I made, and that is where I vote "no."

I now yield to the Senator from Massachusetts.

Mr. LODGE. Mr. President, is it not true that since last March we have had the Russian alliance with Germany, we have had the Russian invasion of Finland, and we have had the Russian persecution of the unfortunate people in Poland?

Mr. VANDENBERG. All of which is true. But I base my attitude solely upon domestic considerations. The case has finally accumulated to a point where I think no one can read the letter sent to the Foreign Relations Committee by the Secretary of State himself, without finding in it a substantial sympathy with the viewpoint which I now submit to the Senate.

Mr. BARKLEY. Mr. President, will the Senator yield further?

Mr. VANDENBERG. I yield.

Mr. BARKLEY. Since that time and during that period we have seen another nation overrun two or three nations; we have seen that other nation persecute men because of their race and religion; we have seen the most brutal outrages perpetrated by one nation which is in alliance with Russia. If we are to compel our Ambassador to Russia to serve without pay, why not do the same with respect to our Ambassador to that other country? And the fact that our President may have recalled our Ambassador to another nation does not make any difference, because he may send him back whenever he sees fit.

Mr. VANDENBERG. I think the Senator from Kentucky begs the question, Mr. President.

Mr. BARKLEY. I am not begging the question.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. VANDENBERG. Let me comment on what the Senator from Kentucky has said, and then I will yield to the Senator from Arizona. I think the Senator from Kentucky begs the question when he tries to parallel this matter of the Russian recognition with that of any other recognition in the world, because here is the only instance where our designation of an ambassador is based upon a contract and an agreement. There is nothing like it anywhere else in our foreign relationship. Here it is all by itself. That agreement has been violated. What shall we do about it?

Mr. BARKLEY. Does the Senator think the Senate of the United States has any function to perform in the matter of the recognition of the government of any country?

Mr. VANDENBERG. The Senator from Michigan thinks that the Senate is about to vote on an appropriation, and the Senator wants to know why the appropriation is here if he is not a free agent to vote on it as he believes the equities dictate.

Mr. BARKLEY. No; the Senator is begging the question. I asked him whether he thought the Senate of the United States had any function to perform in the recognition of a government.

Mr. VANDENBERG. No; not originally.

Mr. BARKLEY. Then the Senate had no right to object to the recognition of Russia when it was recognized.

Mr. VANDENBERG. It had a right to criticize. The Senate had no prerogative of original interference.

Mr. BARKLEY. Not at all. Neither has it any prerogative of interference in the conduct of those diplomatic relations that are resumed after the recognition of any country.

Mr. VANDENBERG. I disagree with that statement.

Mr. BARKLEY. Well, except in the matter of confirming or rejecting an appointee as an ambassador or a minister. We cannot conduct the foreign affairs of the United States.

Mr. VANDENBERG. No; and I do not want to conduct them, except as they involve a collateral legislative function, as in the present instance.

Mr. BARKLEY. But the Senator is willing to vote and is going to vote to deny to an American ambassador the salary

to which he is entitled by reason of the regularity of the sequence of events that resulted in his appointment, because, as the Senator says, Russia has not kept her treaty agreement with the United States or her contractual relationship with the United States. Now, if the Senator is going to deny our ambassadors and our ministers their compensation, because the countries to which they are assigned have not kept all of their agreements with the United States, we will call home most of our diplomatic representatives, and not pay them any salary whatever, because there is scarcely any nation in Europe which can be said to have kept its contracts with the United States.

Mr. VANDENBERG. Has the Senator concluded?

Mr. BARKLEY. For the time being.

Mr. VANDENBERG. I should like to comment now on what the Senator has said. No matter what disagreement we may have with other foreign countries, the disagreements are in respect to external matters. This disagreement is in respect to the internal stability and sanctity of the United States, our own Government, and there is no such situation or relationship involved in our contacts with any other government on earth.

Mr. LODGE. Mr. President, will the Senator again yield?

Mr. VANDENBERG. In just a moment. The Senator from Kentucky preached a sermon to me, and I have to preach one back, and then I will yield to the Senator from Massachusetts.

Mr. BARKLEY. Mr. President, I hope the Senator from Michigan, instead of preaching a sermon back in reply to mine, will be on the mourner's bench and hit the sawdust trail.

Mr. VANDENBERG. I hope at least one or the other of us will pronounce the benediction shortly.

Mr. President, as I was about to say, here is the situation involving the sanctity of contracts in respect to the internal safety and stability of our own Government and our own country. That has no parallel in connection with any other foreign relationship we have.

Mr. BARKLEY. Mr. President, will the Senator yield right at that point?

Mr. VANDENBERG. No. I will yield in just a moment. The Senator from Kentucky says: "Why, even if they have broken their contract, even if they have spurned us, even if they have treated us with utter contempt in respect to their promises to us, would you take the salary away from a poor ambassador who is over there?"

Well, I certainly think that begs the question. There will not be any ambassador there to pay if there is no pay voted. So we do not need to worry about the ambassador.

The question is whether or not the Senate will vote \$17,500 to pay an ambassador to the Union of Soviet Socialist Republics. It does not make any difference how much Senators think the President ought to control foreign relations. It does not make any difference what Senators think the function of the Congress is in this respect. Senators must vote "yes" or "no" on \$17,500 this afternoon for an ambassador to Moscow.

That is a legislative function, and it cannot be any other kind of function. Senators cannot avoid that vote by saying, "No; this is the President's job." Senators cannot avoid saying "yes" or "no" on their legislative responsibility with respect to the legislative question as to whether or not \$17,500 shall be appropriated for an ambassador to Moscow for the next fiscal year.

I just happen to vote "no" at that point.

I now yield to the Senator from Arizona, and then I think we might vote and go home.

Mr. HAYDEN. Mr. President, I should like to inquire of the Senator from Michigan how taking away \$17,500 from the American ambassador to Moscow will in any way compel Russia to keep the treaty that she made with us? How does that cure the situation in any way? How does cutting off the ambassador's salary stop Communist activity in the United States?

Mr. VANDENBERG. Mr. President, I am not talking about stopping the Communist activity in the United States,

much as I should like to do so when it advocates the overthrow of our Government by force. It will take a far more severe protest than anything of this nature to stop that activity. The only way it can be done fundamentally is to cure the economic ills of our country so the Communist movement in the United States does not have anything on which to feed.

The thing I am trying to do is so to establish that we have been defrauded in respect to an international contract involved in a pending appropriation and to put our stamp of disapproval upon that action.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. MINTON. As I understand the Senator, he is trying to answer this legislative question as to whether or not we shall appropriate \$17,500. Now, it seems to me that would prompt the first inquiry, Have we an Ambassador? Do we have one in Russia?

Mr. VANDENBERG. Oh, yes.

Mr. MINTON. Should he be paid?

Mr. VANDENBERG. Oh, he will be paid as long as he stays. This appropriation is for the next fiscal year.

Mr. MINTON. Well, for the next fiscal year.

Mr. VANDENBERG. You will not have one if you do not make this appropriation.

Mr. MINTON. Oh, yes; we will. He might stay over there without pay if you cut it off.

Mr. VANDENBERG. Oh, yes.

Mr. MINTON. We have an ambassador. When the Senator says we have an Ambassador and that we ought to pay him he answers the legislative question of whether to appropriate.

Mr. VANDENBERG. No.

Mr. MINTON. Otherwise the Senator will have to go into the question of recognition, which is a matter for the State Department and the Executive.

Mr. BARKLEY. The salary could be withdrawn, but he could still stay there without being paid.

Mr. VANDENBERG. I think the matter is still in the hands of the President and that he can still deal with it if he wishes to, but I think we have a right to say that we do not believe there ought to be an ambassador at Moscow under a contract that has been contemptuously and ruthlessly broken. Whatever ultimately happens to the Ambassador or to the Embassy is none of our immediate concern or responsibility. We have at least said for ourselves that we are not willing longer to sit silent under a contemptuous violation of our domestic rights as set forth in the equivalent of a treaty engagement.

Mr. BARKLEY. So it does not resolve itself down simply to a legislative matter as to whether we shall pay our Ambassador, but it resolves itself into a diplomatic matter to determine whether we shall have an ambassador.

Mr. VANDENBERG. So far as the Senate is concerned it is a question of voting for or against an appropriation.

Mr. BARKLEY. Yes. And so far as the Senator from Michigan is concerned, in the back of his head is the thought that there should be a repudiation of our ambassadorship and our diplomatic relationship with Russia.

Mr. VANDENBERG. And so far as the Senator from Michigan is concerned, he votes "No."

Mr. McKELLAR. Mr. President, just a moment before the vote is taken. The action of the Appropriations Committee was that such a matter ought not to be taken up before the Appropriations Committee of the Senate, because it was a legislative matter, as the Senator from Michigan has said. We have a Committee on Foreign Relations, of which the Senator happens to be a member, and if any committee of the Senate should take it up it should be taken up by that committee, and a bill reported by it. Certainly it is not the duty of the Appropriations Committee to pass upon this question, and the committee so held.

I hope the amendment will be rejected.

Mr. BARBOUR. Mr. President, I do not wish to prolong this discussion, because obviously it has already been covered very ably by the distinguished Senator from Michigan [Mr.

VANDENBERG], but I am compelled to say for the record that I was one of the small group of Senators who voted against the confirmation of Mr. Bullitt when he was sent as Ambassador to Russia. One of the reasons why I voted against Ambassador Bullitt's confirmation was that I was convinced, at that time, that Russia would not keep its word with the United States; that it would not live up to its obligations; and that it would not keep its contractual relations; and that that vote against the confirmation of the Ambassador was the only concrete way in which I could register and express my disfavor and disapproval of the recognition of the so-called Russian Government.

Again I have only this means—other than merely talking about it—of expressing and registering my opposition to and disapproval of the continuation of this unhappy and humiliating state of affairs. Certainly my vote originally was not directed against the Ambassador personally; nor is my vote at this time directed against the present Ambassador in any personal sense whatever. I know that we made a great mistake when we recognized Russia. I believe that the people of the United States feel that we made a great mistake. The record shows that a great mistake was made. I will have no part in that mistake. I did not then. I will not now.

For that reason I shall vote to eliminate the appropriation for the Ambassador's salary as being the only concrete way in which I can register my opposition to Soviet Russia and all her ways.

Mr. NORRIS. Mr. President, to begin with, I concede that any Senator has a perfect right to take the position taken by the Senator from Michigan [Mr. VANDENBERG]. However, I believe he is inconsistent. I do not believe it would be advisable for us as a Nation to withdraw our ambassador from Russia or from any one of several other countries in the world which I think are susceptible to the same argument that can be made against recognition of Russia. As I see it, such action would be an indirect method of taking away the recognition which we have heretofore accorded to Russia. It is a way which Congress sometimes takes, but I think it must be admitted that it is indirect. It is not the proper way to do it.

If a resolution were introduced to withdraw our Ambassador from Russia, or from any other country, and the Foreign Relations Committee should refuse to act on that resolution, as the Senator from Michigan says was done with respect to his resolution, the rules of the Senate provide a way to meet just exactly that kind of a situation. The Senator from Michigan may introduce a resolution any day, and if his resolution prevails, a report may be required from the Committee on Foreign Relations, or he may bring the matter directly before the Senate without any recommendation from the committee. So there is an easy and rather expeditious way to bring the question before the Senate and pass upon it.

On the question of withdrawing our recognition of Russia and several other countries, including Germany, Italy, and Japan, to my mind the countries named are all in the same class, and great argument could be made in favor of doing so, although I believe the better argument is against it in all cases.

In the present terrible condition in which the world finds itself, are we better off or worse off with ambassadors in the capitals of the various nations? Of course, I am not a diplomat. I do not know much about such matters; but it seems to me that during the continuance of the present war in Europe, with the likelihood of its spreading, we should be in better shape with an ambassador in each of those countries than without one. Is it not desirable, through our representatives, to obtain as much information as possible on both sides of the controversy? Are we not better able to obtain it through an ambassador than through any other agency?

To me it seems clear that we ought not at this time to withdraw our recognition of any of these countries, although we do not agree with them in regard to certain fundamental principles of human liberty.

The nations to which I refer are now practicing before the eyes of the world the principle that, without any dispute,

without any quarrel, simply because the greater nation wants to swallow up the smaller nation, any nation has a right to destroy any other nation by starvation, by bombs from the air, by murdering women and little children, or by any means.

That is the principle of international law which it seems to me is at stake. Russia is not the only nation which practices such doctrines. I think Russia is guilty of it, but the other nations I have mentioned are likewise guilty. If that is a good reason why we should withdraw recognition of one of those countries, then we ought to withdraw it from all of them, although in my humble opinion we should place ourselves in a disadvantageous position if we should do it. In my opinion, the same reason exists in one case as in the others.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. BARKLEY. Practically all the nations to which the Senator refers have broken treaties to which they and we are parties.

Mr. NORRIS. Yes. They have not only broken treaties to which we are a party, but they have violated a principle of international law, and if such violation is continued, our civilization, or anything like it, will be blotted from the face of the earth. It cannot live with that kind of a principle in vogue.

So, it seems to me that we are confronted with the question whether or not it is better to continue relationships. In view of our desire to stay out of the war, we ought not to do anything unless we can do it without injury to ourselves, and unless it be legal under international law. We ought not to do anything which would put us in a position in which we should be more likely to get into the controversy than we otherwise would be.

Therefore it seems to me that the contention of the Senator from Massachusetts and the Senator from Michigan is not sustained by what I regard as good logic, logic which will control me in my vote, although I very frankly concede that Senators have a perfect right, if they desire, to vote against any appropriation they see fit; and I am not criticising them for it.

Mr. President, another reason which I think we ought to consider is that the recognition or nonrecognition of a foreign government is an Executive function. Foreign governments have been recognized by the Executive authority. Everybody concedes that that matter is within the limits of the rights and prerogatives of the Executive authority. It is true that we may cut off appropriations if we so desire; and if we feel justified, of course, we will do it. However, we have already recognized Russia; and I want Russia recognized. I should not want to withdraw recognition from Russia unless at the same time we should withdraw it from the other nations I have mentioned. Recognition is an Executive function. It has been performed in legal ways, and it is up to us to appropriate the money.

In the past we have destroyed the effectiveness of an office by refusing to appropriate money to maintain it, but that is an indirect way to do it. It seems to me we ought not to do so except in a very desperate case.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. DANAHER. In the performance of his function in this particular, in appointing an ambassador in the first instance, the President performed a constitutional function; did he not?

Mr. NORRIS. As I see it he did.

Mr. DANAHER. I agree. If we have a right to exercise a restraint upon an ambassador, or even to withdraw his salary under the circumstances explained by the proponent of this amendment, we could with equal propriety express our disapproval of decisions of the Supreme Court by withholding an appropriation from it.

Mr. NORRIS. Absolutely. We certainly could.

Mr. DANAHER. And this group as a legislative body fundamentally has no right whatever to impinge upon the honorable status of the constitutional prerogatives of the President in this particular as I see it. Is not that a fair statement in its fundamental aspects?

Mr. NORRIS. I think it is. We have a right to refuse an appropriation for anything we see fit. We may refuse, if we want to do so, to appropriate for any particular specific judge, or any marshal, or any other official for whose salary we ordinarily appropriate money. Sometimes we do it; but when we do it we feel that it is rather a desperate case, and I do not believe we ought to do it in any other case. But we hold the purse strings, and, of course, we have a right to tighten them up in anyway whenever we see fit. I think we should make a mistake to do it in this case if we should refuse to appropriate the money for this ambassadorship.

Mr. KING. Mr. President, though I was opposed to our Government according recognition to the Bolshevik regime, I do not feel disposed to prevent the appropriation to meet the salary of our Ambassador at Moscow. In my opinion we made a mistake in having political dealings with the Soviet Government. Personally I should be glad to see appropriate action taken to sever diplomatic relations with the Stalin regime. Its attack upon Finland and its avowed purpose to destroy democratic governments and to superimpose communism upon the world, warrant action by our Government in recalling our Ambassador and in severing diplomatic relations with Russia.

The Bolshevik regime has disregarded many of its obligations to us as well as to other countries and has sought opportunities to bring governments and peoples under its political control.

I spent some time in Russia and became acquainted with some of the Communist leaders. They frankly confessed that if treaties with other countries were entered into they would avail themselves of every opportunity to spread communism and to undermine what they denominated bourgeois governments.

I agree with the Senator from Nebraska [Mr. NORRIS] that it is not the function of Congress to accord recognition to a foreign government, but that the authority rests with the President of the United States. Under the circumstances, though I would support a resolution respectfully addressed to the President asking that recognition of the Stalin regime be withdrawn, I am unwilling to vote against the appropriation carried in the provision of the bill under consideration.

Mr. President, on the 25th of last month I briefly addressed the Senate and referred to the Bolshevik Government and to the union of Hitler and Stalin in their efforts to destroy democratic nations. I called attention to the fact that democracy was alien to their philosophy and that their purpose was to overthrow democratic governments and to establish a hateful and oppressive rule upon millions of people not only within the boundaries of their states but in many other countries.

I called attention to the fact that I had not favored the recognition of Russia and that when a representative of the Stalin regime was in Washington attempting to negotiate a treaty with the United States, I believed that certain facts relating to the matter should be brought to the attention of the Executive. I thereupon prepared a memorandum which I submitted to the executive department on the 13th of November 1933. In that memorandum I presented a number of reasons why I believed recognition of the Bolshevik Government should not be accorded by our Government.

I do not desire to take the time of the Senate to traverse the ground covered in the address which I delivered on the 25th of January, but I ask unanimous consent to have inserted in the RECORD as a part of my remarks excerpts from the address, together with the memorandum which I submitted to the executive department.

The PRESIDING OFFICER. Without objection, it is so ordered.

The excerpts and memorandum are as follows:

"No circumstances have arisen to date that would alter my attitude, heretofore expressed in the Senate and elsewhere, on the question of recognition by the United States of the Soviet Government of Russia.

"I have always felt the most profound sympathy for the Russian people and have entertained keen regret that they should be

subjected to a regime of political and economic dictatorship represented by the present authority in Russia. I have believed that as an American I have no right to interfere with the internal or economic affairs established and maintained by another sovereign nation.

"On the other hand, I have always contended that recognition of a foreign government by our Government is not a duty nor an obligation on our part but an act of policy dictated by considerations which appear to be in our best interest.

"I supported the position of President Wilson in refusing to recognize the Bolshevik regime; and after having visited Russia, where I spent several months and traveled more than 8,000 miles, I was more firmly convinced that the best interests of our country would not be served by extending recognition to the Soviet Government until and unless that Government should change its policy with respect to internal affairs as well as external matters, and, moreover, that it should give ample and convincing proof of its intention to assume in its international relations a clear obligation to act in accordance with the generally recognized standards of friendly intercourse among nations. I am therefore opposed to extending recognition to the Soviet Government until such proof is forthcoming.

"If it should become the policy of our Government to reconsider at this time our official attitude toward the Soviet Government, our first step should be the creation of a competent commission to ascertain, both independently and in consultation with the representatives of the Soviet Government, the necessary facts upon which a judgment can be based as to whether or not the Soviet Government is prepared, in fact, to assume international obligations common to all civilized nations. Specifically, before extending recognition to the Soviet Government, we should know:

"(a) Whether or not that Government is prepared to undertake to conduct no subversive propaganda in our country or our Territorial possessions, either directly through its accredited representatives or indirectly through such an agency as the Third International."

May I interpolate here that I emphasized that point in my memorandum because of conversations which I had with Bolshevik leaders when in Russia, in which they indicated that recognition would afford opportunities for the dissemination of the principles of the communistic faith.

The second point I suggested was:

"Whether or not that Government is prepared to and will disassociate itself from the Third International and will agree to no longer subsidize it or contribute to its maintenance or activities."

May I add in passing that when in Moscow I visited the Third International headquarters. There I saw Mr. Radek, who was, in the absence of Zinoviev, in control of the headquarters. Sitting with him was Bill Haywood, who, as Senators will recall, was prosecuted for transgressions of law during the World War, and convicted. He fled to Russia, forfeiting his bail of \$50,000. When I saw him in the Third International Headquarters he greeted me and stated that the United States "didn't get" him. He was frank in indicating that, as a member of the Third International, he was using his best efforts to spread communism in the United States and in other countries. I might add in passing that he remained in Russia until the time of his death, which was several years later.

I might add, for the benefit of my colleagues from the South, that sitting with Mr. Radek was also a colored man from Alabama, who frankly stated that he was a Communist and was a member of the Third International, and was engaged in the spread of communism among his race in the United States.

The memorandum continues:

"(c) Whether or not that Government is prepared to and will guarantee an open public and fair trial to any American citizen who may be charged with the violation of any law, rule, or regulation of such Government;

"(d) Whether or not that Government is prepared to and will recognize former subjects of Russia who are naturalized American citizens as American citizens and will accord to them all the rights of American citizens;

"(e) Whether or not that Government is prepared, with respect to the war loans extended by our Treasury to fully accredited representatives of the Russian Government then in power, to place itself on the same footing as all the other governments which had borrowed from us during the war—that is, to acknowledge the obligation and to enter into proper negotiations for the discharging of such obligation;

"(f) Whether or not that Government is prepared to enter into negotiations for the satisfaction of the claims of our citizens who had suffered property damage because of acts initiated and carried out by authority of that Government.

"The willingness of the Soviet Government to assume the undertakings herein enumerated should be embodied in formal declaration precedent to our act of recognition. The experience of other important nations, notably Great Britain and France, which had recognized the Soviet Government unconditionally, should serve as sufficient warning to us as to the difficulty of protecting and maintaining our national interests in the face of the international policies pursued by the Soviet Government in the absence of previous clearly defined undertakings on the part of that Government.

"It is often asserted that recognition of the Soviet Government would result for our country in a large expansion of our export trade to Russia. This, it is held, would be of sufficient benefit to several important branches of agricultural and industrial produc-

tion in the United States to render the act of recognition a step in the direction of promoting our best national interests.

"The truth of this assertion should be another necessary field of inquiry for the American commission suggested above. From my personal investigation of this subject, I am convinced that no foundation whatever exists for the extravagant claims advanced in favor of outstanding trade benefits that would accrue to us as a result of our extending recognition to the Soviet Government. The possibility of our purchases from Russia, the proceeds of which could be used to pay for our exports to that country, is admittedly very limited. Our sales to Russia, over and above our purchases from her, would have to be governed by one of the following factors:

"(1) A net balance in favor of Russia in her trade with her principal customers; that is, Germany, Great Britain, Italy, and France;

"(2) Exports of gold by her; and

"(3) New credits extended to her in this country.

"I am credibly informed that for some time ahead any visible net balance in favor of Russia in her trade with the principal European nations is bound to be absorbed by her payments to these countries on account of credits already extended to her by their citizens. Similarly, her stocks and current production of gold are relatively small. Hence, there would appear to be but a slight businesslike basis for the extension to her of any substantial volume of new credits.

"All these questions will have to be thoroughly and authoritatively investigated before adequate judgment can be formed as to whether or not the recognition of the Soviet Government would, in fact, be in our best economic interest. Surely, no officials of our Government would be so oblivious of the disastrous consequences of our huge loans to foreign countries during the post-war years as to lay the foundation for a resumption of substantial loans abroad without a most careful investigation as to the soundness of such investments. In short, an unconditional recognition of the Soviet Government, prior to an adequate and authoritative investigation, and unaccompanied by a definite assumption by the Soviet Government of trustworthy undertakings along the lines here suggested, would be a rash and precipitate action, likely to be profoundly deplored all too soon after it is taken."

Mr. President, though not a prophet, time has vindicated the position which I took.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. LODGE].

Mr. LODGE. I ask for a division.

On a division, the amendment was rejected.

Mr. NORRIS. Mr. President, I desire to ask the Senator from Tennessee [Mr. McKELLAR], in charge of the bill, a question or two about the Federal Bureau of Investigation, beginning on page 54. There is no amendment by the committee to any part of that item. Can the Senator tell me how much in the aggregate is included in the bill for that particular Bureau? How much do these various items total?

Mr. McKELLAR. I will tell the Senator in a moment. My recollection is that the amount is \$7,000,000. I shall have to find the place.

Mr. McNARY. It is on page 56, line 1.

Mr. McKELLAR. The amount is \$7,222,000.

Mr. NORRIS. I am wondering if, for instance, the items at the bottom of page 56, commencing with line 13, and all of page 57, where various items are included, are part of the \$7,222,000?

Mr. McKELLAR. No; they are not. They are emergency items. The amount is \$7,222,000.

Mr. NORRIS. Then the other items must be added to that amount to make the total.

Mr. McKELLAR. They are emergency items pure and simple, and are added to it, of course.

Mr. NORRIS. How much do they amount to?

Mr. McKELLAR. They amount to \$2,488,000.

Mr. NORRIS. So the total amount for the Bureau of Investigation would be a little more than \$9,500,000?

Mr. McKELLAR. Yes, sir. That Bureau has increased right and left, from a very small beginning to a very large Bureau.

Mr. NORRIS. Did the committee take any evidence on the activities of the Bureau?

Mr. McKELLAR. No. The committee, as is usual with all appropriations, invited the head of the Department of Justice, as it did the heads of the other departments, to appear if there were any objections to what the House had done. There was nothing about the Bureau of Investigation, and no evidence was brought before the committee in reference to it. The Senator will recall that a few years ago I undertook

to cut down the appropriation for the Bureau of Investigation, and it was added to instead of being cut down.

Mr. NORRIS. Frankly, I am worried about the activities of this Bureau. I must confess, to begin with, that I have no concrete evidence which I could offer in court to sustain the position which I take. Yet it seems to me this is a subject which should be looked into. We are appropriating in this bill a little more than \$9,500,000 for this Bureau, and under the law creating the Bureau, and in connection with its activities, it does not seem to me it can utilize that amount of money. My information to a great extent depends upon items of news which have appeared at various times in the newspapers and magazines. In one article in particular, appearing in the New Republic, this Bureau is very severely criticized. I do not know whether it is in this article or not, but in many of the newspapers I have read statements to the effect that the methods resorted to by the representatives of the Bureau are, to say the least, rather abhorrent to one who believes in constitutional liberty, and the rights we think we all have as citizens of the United States under the Constitution.

It is alleged, and it was circulated in the newspapers at the time, as I remember, that a large number of people, to give an illustration, were arrested in the nighttime in Detroit. Several raids were made, if they may be denominated raids, in different cities of the United States, where similar arrests took place. As I understand from the newspapers, those arrested were charged with having engaged in what was admittedly illegal, perhaps, under the statute, that is, enlisting as soldiers in the Loyalist Army of Spain during the unfortunate revolution which took place in Spain. That, I understand, is a technical crime under the laws of the United States, a statutory crime, but it does not imply any malice, anything that is mean, such as would be charged against a bank robber, or a kidnapper, or a man who had persistently violated the Mann Act, or something similar, showing an evil intent. It was a statutory offense. As I understand, men and women were arrested at 4 o'clock in the morning and taken out of their homes without any notice that they were to be arrested. They were handcuffed, and in that condition were taken to the common jail, and some were held in custody in other places, where the handcuffed men were charged with a statutory offense, which had attached to it no ignominy, because we must all admit that our people were very much divided on the question whether we should assist the Loyalist cause in Spain. There was no malice.

If this charge be true, it seems to me this bureau is engaging in an activity not in consonance with our idea of constitutional right, an activity which cannot be excused. If these charges are only partially true, it is a matter of taking the law into their own hands and punishing people who are not convicted of a crime, who are not charged with any malicious crime, who are not charged with anything which has attached to it any element of criminality.

I ask unanimous consent to have included as a part of my remarks the editorial on this subject in the New Republic of February 19, 1940, to which I have referred.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New Republic of February 19, 1940]

AMERICAN OGPU

When the Russian OGPU and German Gestapo commit their raids, we shudder that any government should make such indecencies technically lawful. In our country, Congress and the Supreme Court forbid "dirty business" by law-enforcement officers. No Federal detective, we assume, can take a man's papers from him without lawful warrant. No G-man, we assume, will descend suddenly on citizens, to rush them on a moment's surprise notice before a grand jury, with their books or records. Nor, we assume, would a Federal agent get a man or woman into his office for a star-chamber examination, under the pretext of a subpoena requiring him to appear before a grand jury.

Nevertheless, these things were done by our own Federal Bureau of Investigation to the Veterans of the Abraham Lincoln Brigade between February 6 and 10, 1940, in the civilized city of New York. At the same time the F. B. I. launched raids against this organization in Detroit and Milwaukee—raids condemned by the Civil Liberties Union as "high-handed," by Representative COFFEY of Washington, who said they "smell bad," by the Mich-

igan Conference for Civil Rights, by the conservative Milwaukee Journal, and by many others. The Journal said in an editorial that the F. B. I. gave the impression "of a Gestapo that can haul citizens off to prison and court in ignominy, imposing any kind of conditions the captors wish without accountability." The Journal added that chaining the captives made them look like "a chain gang being led away. * * * Why arrest a man at 4 a. m. who can be found any time during the day? And why handcuff him when his record or the offense charged * * * contains no intimation of a violent element? Is it that Chief Hoover and his men want to create a wartime hysteria in this country?"

Three weeks before these raids, agents of this most powerful secret-service bureau virtually admitted to the New York Times that they regarded their arrest of the young Christian Fronters on the charge of conspiring to overthrow the Government "as a formality" (the quotation is from the Times' paraphrase) "that enabled the Government to hold the men" for other purposes—a well-known device not wholly alien to the device of protective custody.

A week before that, the Bureau's request for a special appropriation of \$2,500,000 to combat subversive activities by means of its spy and detective service was discussed by Representative MARCANTONIO. He called to the attention of his colleagues testimony given in support of the request by the Bureau's chief, J. Edgar Hoover. MARCANTONIO warned the House that Hoover's activities "constitute a real, serious menace to civil liberties." They "lay the foundation," he said, "for Palmer raids, for a Palmer system and for a Gestapo system in the United States." There is every reason to keep track of genuine foreign spies and saboteurs, but this can be done better if it is not confused with spectacular assaults on the rights of citizens.

Last September Hoover's Nation-wide protection of the country against subversive elements was well under way. He asked everybody, especially banks, business houses, railroads, and local authorities, to help rid "America of those who desire to undermine the Federal Government." But he appears to suspect that some of the undermining is planned at meetings for which the local authorities themselves grant permits. He disseminated a suggestion received from one mayor that local authorities notify Hoover's bureau of every permit issued anywhere in this country for any public assemblage, "before the meeting starts." In other words, he is engaged in an effort to bring under the eye of his centralized detective service meetings in the parks and city streets anywhere and everywhere in America.

Hoover's talent for finding radicals illustrates what Representative COFFEY said to the Michigan civil-rights conference about the current hysteria. "We're going simply crazy on this subject of 'reds' in the United States. We see 'reds' everywhere, under every bed and table." Hoover himself found a Communist issue in the attempt of the Federal Civil Service Commission to require him to select from civil-service lists the additional agents he will hire in his attack on subversive activities. He charged that the Commission had previously tried to send him Communists, to work in the very midst of his detectives.

Now, while Hoover is getting additional millions from Congress, the protests against his type of law enforcement are piling up. His actions in Detroit will probably be investigated by Attorney General Jackson. The head of the latter's criminal division, John Rogge, in a straightforward speech to the Michigan conference, said that the whole incident is being studied. Statesmanlike action in this affair will enable the Government not only to undo the lawlessness that has been practiced but also to offset the fast-growing suspicion that the administration has deliberately embarked on an "anti-red" campaign. Valuable as is the inquiry into this chain-gang incident, it should not mark the limit of the new Attorney General's investigation. He should study the whole record of the lawlessness of Hoover's bureau, and also the widespread salesmanship by which Hoover has made himself much too powerful to be easily curbed by a superior.

In foreign countries people are forced by their governments to submit to their gestapos. In this country Hoover has the voluntary support of all who delight in gangster movies and 10-cent detective magazines. Already, in the minds of many Americans, the great Department of Justice is merely its G-men. At every entrance of the massive building in which it is housed, the only placard for the visitor to read is one which directs him to the gory dime museum organized by Hoover at public expense. Hoover has been made known to young and old by radio, by newsreels, by motion pictures based on the propaganda he furnishes to script writers, by speeches, and by the widespread franking of those speeches.

But the glamor that surrounds him also conceals the growth of a power inconsistent with our conception of democratic institutions. That power is exercised through the forty-odd branches the Government maintains for his Bureau throughout the country. Without interference from civil service, he picks and rules his detectives with an iron hand. Through his branch chiefs, he maintains close contact with Federal judges and with Federal prosecuting attorneys everywhere. And on almost any Federal official, as well as any "red," Hoover can have a dossier at Government expense.

Last spring he had to come to Congress for a quarter of a million dollars he had overspent, as reported in the New York Times, "without authorization of law." Representative WOODRUM of Virginia opposed Hoover's request for an appropriation of twice the amount of his overdraft on Uncle Sam. WOODRUM said that he did not wish to "detract from the fine service" rendered by the F. B. I. in kidnapping cases, "although I do not hang any halo about its

head. * * * It has to abide by the law, and it ought to be the first one to live within the law." The Times reported that the application for double the amount unlawfully spent "was shouted down." But the House legalized the amount to which Hoover on his own authority had already decided to commit Congress.

Attorney General Jackson might well take to heart what was done toward combating wartime hysteria by some of his predecessors, whom he equals in courage and experience. One of the greatest of the Attorneys General, Harlan Stone, now on the Supreme Court, reduced the Bureau to its normal size, after it had become swollen under William J. Burns, as it is now swollen under J. Edgar Hoover. When Herbert Hoover became President, he created a commission whose greatest achievement was a thorough study of the lawlessness of law-enforcement officials. J. Edgar Hoover was then operating a small bureau, no more important than the modest, small, efficient secret services in the Departments of the Treasury and the Post Office. In those days the F. B. I. was not an American OGPU. Its law-enforcement activities could be kept within the limits of law observance.

Mr. NORRIS. Mr. President, it seems to me this matter should be inquired into, and I was wondering whether the committee had any information as to the activities of this Bureau, and whether it has been given any information as to the other things which have been charged against it.

Mr. McKELLAR. No; the committee does not have such information.

Mr. NORRIS. I am not alleging these matters as facts of which I have personal knowledge, for I have not. I rely for my information upon the general news of the day, and particularly upon the editorial in the New Republic magazine, for which I think we all have the profoundest respect, and which ordinarily is not guilty of making any assertions or charges without due and proper investigation.

Mr. McKELLAR. In connection with what the Senator from Nebraska has stated, in order that the Senator and others interested may have the information, I may state that the appropriations for this Bureau began in 1930 with a regular appropriation of \$2,307,720, and there was a deficiency of \$350,000 added. The appropriation has gradually increased until the regular appropriation for this year is \$7,244,000. I ask unanimous consent that the figures showing the increases from 1930 to 1941 be inserted in the Record.

There being no objection, the matter was ordered to be printed in the Record, as follows:

APPROPRIATIONS

1930.....	\$2,307,720
Deficiency.....	350,000
1931.....	2,781,419
1932.....	2,978,520
1933.....	2,775,000
1934.....	2,589,500
1935.....	2,880,000
Deficiency.....	1,563,349
1936.....	5,000,000
1937.....	6,025,000
1938.....	6,000,000
Deficiency.....	159,702
1939.....	6,043,200
Supplemental.....	300,000
Deficiency.....	1,700,000
1940.....	7,000,000

ESTIMATES

1930.....	\$2,307,720
Deficiency.....	395,000
1931.....	2,781,419
1932.....	3,000,000
1933.....	2,826,210
1934.....	2,599,619
1935.....	2,840,670
Deficiency.....	1,960,339
1936.....	4,700,000
1937.....	5,800,000
1938.....	5,925,000
Deficiency.....	159,702
1939.....	6,043,200
Supplemental.....	126,000
Deficiency.....	1,826,000
1940.....	7,000,000
1941.....	7,244,000

¹ Includes \$250,000 for construction of target range at Quantico, Va.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. NORRIS. If I am wrong I desire to be corrected, but I had understood that this bill carried an appropriation of about \$9,500,000 for this Bureau. The Senator has not included what he calls the emergency appropriation.

Mr. McKELLAR. That is true; and, in order that the whole picture may be in the Record, I ask unanimous consent that I may insert the table on page 113 of the hearings in the House committee on the Justice Department appropriation bill, which will include the figures of the emergency fund, the total allowed by the Budget being \$9,932,000.

There being no objection, the table was ordered to be printed in the Record, as follows:

Total estimate for 1941 approved by Budget Bureau for regular and national defense

	Approved for regular work	Approved for national defense work	Total allowed by Budget Bureau, 1941
Personal services, departmental.....	\$2,016,480	\$243,000	\$2,259,480
Employees:			
Special agents.....	(44)	(11)	(55)
Clerks.....	(1,112)	(136)	(1,248)
Total employees.....	(1,156)	(147)	(1,303)
Personal services, field.....	\$3,532,080	\$1,057,000	\$4,589,080
Employees:			
Special agents.....	(797)	(250)	(1,047)
Clerks.....	(303)	(154)	(457)
Total employees.....	(1,100)	(404)	(1,504)
Total personal services.....	\$5,548,560	\$1,300,000	\$6,848,560
Total employees:			
Special agents.....	(841)	(261)	(1,102)
Clerks.....	(1,415)	(290)	(1,705)
Total employees.....	(2,256)	(551)	(2,807)
Other expenses:			
Supplies and materials.....	\$140,889	\$310,000	\$450,889
Storage of vehicles.....	40,000	15,000	55,000
Communication services.....	159,500	100,000	259,500
Travel expenses.....	858,414	250,000	1,108,414
Transportation of things.....	25,000	10,000	35,000
Heat, light, and power.....	7,000	3,000	10,000
Rentals.....	158,893	120,000	278,893
Repairs and alterations.....	71,200	15,000	86,200
Special and miscellaneous.....	125,000	25,000	150,000
Confidential fund.....	100,000	100,000
Equipment.....	209,544	240,000	449,544
Total, other expenses.....	1,695,440	1,188,000	2,883,440
Total, all expenses.....	7,244,000	2,488,000	9,732,000
Emergency fund.....	200,000	200,000
	7,444,000	2,488,000	9,932,000

¹ Includes \$20,000 for regular confidential fund.

Mr. DANAHER. Mr. President, I should like to direct a question to the Senator from Tennessee, and therefore I call his attention to page 51, line 5, and the succeeding lines down to line 9. For convenience I will read. On page 51 it purports to award an appropriation to the Patent Office—

For investigating the question of public use or sale of inventions for 2 years or more prior to filing applications for patents, and such other questions arising in connection with applications for patents and the prior art as may be deemed necessary by the Commissioner of Patents.

Is it customary, I ask, for an authorization for an investigation of that character to be included in a general appropriation bill?

Mr. McKELLAR. It is. It has been done for some time.

Mr. DANAHER. Will the Senator tell us what is the nature of the proposed investigation?

Mr. McKELLAR. The amount is stated as \$68,000.

Mr. DANAHER. That is correct.

Mr. McKELLAR. Out of that, provision is made for a great many things. If the Senator will begin on line 25, page 50, "Miscellaneous expenses," he will find that the provision is:

For purchase and exchange of law, professional, and other reference books and publications and scientific books; expenses of transporting publications of patents issued by the Patent Office to foreign governments; directories, furniture, filing cases; exchange of labor-saving office devices; for investigating the question of public use or sale of inventions for 2 years or more prior to filing applications for patents, and such other questions arising in connection with applications for patents and the prior art as may be deemed necessary by the Commissioner of Patents.

So the Senator will see that that is just one of a number of items for which the entire amount is appropriated.

Mr. DANAHER. I thank the Senator; and he has accurately read the entire subdivision, I agree. But what is the

investigation referred to in line 5, page 51, "for investigating the question of public use or sale of inventions?" What does that mean?

Mr. McKELLAR. That language has been in similar bills, I am advised, for a number of years. The Patent Office is now to investigate the question of public use or sale of inventions for 2 years or more prior to the filing of applications for patents.

Mr. DANAHER. Does not the Senator remember that last year we cut down the number of years of the waiting period from 2 to 1. Then why should we continue this investigation, if the Senator is correct in saying that this is a continuing investigation?

Mr. McKELLAR. I do not recall that we cut it down from 2 years to 1 year. Has the Senator located that language in the act?

Mr. DANAHER. I will say that I have examined the Senate hearings, and I do not find a word about that in the Senate hearings.

Mr. McKELLAR. No, there is not a word about it in the Senate hearings, and there is nothing about it in the House hearings this year, because provision was made for cutting the period of waiting from 2 years to 1 year. This is an item that is a continuous appropriation, and this language has been used year after year.

Mr. DANAHER. The Senator does not know how much of the \$68,000 would go for the investigation?

Mr. McKELLAR. No; I do not.

Mr. DANAHER. But the Senator is satisfied that it is an appropriation which for this year, anyway, ought to be continued?

Mr. McKELLAR. I cannot say that I am satisfied about it because the Senate committee did not investigate that particular item.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. DANAHER. I gladly yield.

Mr. NORRIS. I should like to know from the Senator from Connecticut or the Senator from Tennessee what authority, if any, there is in the law in regard to prohibiting or allowing the sale of a patent or invention prior to the filing of an application for a patent. Is that permitted? I am asking for information. Is there a law, for instance, which prohibits the sale of an invention prior to the application for a patent?

Mr. BARKLEY. Of course, no one would have a right to infringe upon an existing patent by the manufacture and sale of something which would constitute an infringement. But whenever anyone invents a new device which is not an infringement upon any patent right already existing he may sell that invention or use it. Of course he is not given a monopoly through a patent if he does not patent it, but he may sell it so long as it does not infringe upon other patents.

Mr. NORRIS. If he did not apply for a patent it would be open to anyone to make use of it.

Mr. BARKLEY. I think the item is simply to investigate the extent to which inventions are used.

Mr. NORRIS. The question which arises in my mind is: Suppose I have a new invention and sell it before I apply for a patent, and then I apply for a patent.

Mr. BARKLEY. The fact that you may have used it or distributed it, so long as it does not violate any existing patent, would not preclude you from applying for a patent at any time you saw fit to do so.

Mr. DANAHER. Mr. President, if the Senator will permit me, I will call attention to page 9 of the House hearings, in which we find this language:

An inventor had the privilege, under the old law, of publicly using an invention for 2 full years before he was required to file a patent application. If he filed his application within the 2-year period, his public use of the invention did not bar him from receiving a patent.

Last year we passed a bill which would reduce or shorten the public use from 2 years to 1 year. We did that for the purpose of expediting the termination of the life of the whole patent, so that no monopoly could be continued too long, and

at the same time we passed legislation to try to expedite the handling of applications in the Patent Office.

But now to come back to what the Senator from Tennessee said. My questions were directed to the objectives sought to be achieved by year after year providing for the continuation of an investigation, the results of which we have already acted upon, as a consequence of which we passed additional legislation. How long are we to continue this sort of investigation for "2 or more years," as the language says? It was with those thoughts in mind that I directed my question to the Senator from Tennessee.

Mr. McKELLAR. I thank the Senator for doing so. I am not a member of the Patents Committee, but I recall the law to which the Senator refers.

Mr. DANAHER. Mr. President, to bring the matter to a head—and we all want to have a vote taken on the bill—in the item for miscellaneous expenses of the Patent Office on page 51, line 5, after the word "devices" and the semicolon, I move to strike out:

For investigating the question of public use or sale of inventions for 2 years or more prior to filing applications for patents, and such other questions arising in connection with applications for patents and the prior art as may be deemed necessary by the Commissioner of Patents; for expense attending defense of suits instituted against the Commissioner of Patents.

Mr. McKELLAR. I have no objection to that language being stricken out.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Connecticut [Mr. DANAHER] on page 51, beginning in line 5.

The amendment was agreed to.

Mr. BROWN. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 52, line 11, it is proposed to strike out "\$639,500" and to insert "\$650,600; including \$46,460 for the Division of Personnel Supervision and Management."

Mr. BROWN. Mr. President, the amount of money actually involved is \$11,100. It relates to the rejection by the Senate Committee on Appropriations of an amount sufficient to pay the Director and the Assistant Director of the Division of Personnel, in the Department of Justice.

I understand the action was taken in the House subcommittee originally as in the nature of a punishment of the Director and the Assistant Director because they continued to hold their positions after the Appropriations Committee subcommittee on the State, Commerce, and Justice Departments appropriation bill had advised that no appropriation would be made for the purpose. I think it was a very unfair action. Attorney General Jackson, the present Attorney General, as well as Attorney General Murphy, indicated very strongly that the Department of Justice needed these two officials.

The effect of the action of the Senate committee and of the House committee is to have a division upon which the sum of \$39,000 will be spent without an executive head.

It happens that Mr. Brownrigg is from the State of Michigan. It happens that he resigned a \$7,500 position to come to Washington and take this job at a reduction in salary of \$1,000 at the request of the former Attorney General. The effect of the action of the Senate subcommittee will be to provide no funds to pay either the Director or the Assistant Director. It seems to me we ought to strike out the entire appropriation of some \$51,000, or else have a director.

I should like to ask the chairman of the subcommittee why that action was taken.

Mr. McKELLAR. Mr. President, the reason was that the Department made application for the establishment of the two offices last year and the House refused to establish them, as did the Senate. That was early in the year. The Department had time to come before the committee last spring and did not do so. It waited until after Congress adjourned, and then established the offices anyway, and undertook so to arrange the appropriation as to pay the salaries

of the new offices out of what are called lapses, or vacancies caused by employees of the Department being separated from the service by death, resignation, or otherwise, although in the natural order of things others would be appointed to take the places of those thus separated from the service. Notwithstanding the fact that the House specifically turned down the Department, it went ahead and established these two offices and paid for them out of the lapses that occurred during the year.

Mr. REYNOLDS. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. REYNOLDS. What right did the Department have to pay them, in view of the fact that previously the House had absolutely refused to appropriate for them?

Mr. McKELLAR. The House regarded it as an act of bad faith, and on that account refused to make the appropriation of \$11,100.

Mr. BROWN. Mr. President, will the Senator yield to me to answer the Senator from North Carolina?

Mr. McKELLAR. I yield.

Mr. BROWN. The subcommittee of the House Committee on Deficiency Appropriations had this matter before it. An appeal was made to the subcommittee to take care of the situation. It was the first committee to which the Department of Justice could apply. This action took place as explained by the Senator from South Carolina [Mr. BYRNES] in examining Mr. Brownrigg:

Senator BYRNES. I notice you did tell the Congressman who was interested in this matter that [quoting]:

"It might clarify the matter if I said that this position was established prior to the meeting of the deficiency committee, and while that committee did not appropriate or recommend an appropriation of money to cover the position—"

Because they had surplus funds on hand sufficient to cover it—

"they, nevertheless, very heartily sanctioned the personnel program that was presented. They indicated that they were heartily in accord with the program, provided the money to finance it could be obtained out of present appropriations."

And it was in the current appropriation in the form of something like \$9,000 of excess money and surplus funds.

They said that, in view of the great need for economy, this program should be financed out of existing appropriations.

The situation was that the Department applied to the first committee which had jurisdiction of the situation, which was the deficiency subcommittee. That committee approved what the Department had done, and told the officials to go ahead. These men were caught in the conflict of jurisdiction between the deficiency subcommittee and the subcommittee on the Department of Justice of the Committee on Appropriations of the House; and because they did not go to the subcommittee on the Department of Justice, it now appears that these gentlemen are to be eased out of their jobs, and that we are to have a division without a head.

Mr. McKELLAR. Not without a head, because the Department has a personnel officer. It had one before, and it has had one all the time. It was trying to establish a different arrangement, a new personnel division.

Let me read the testimony of Mr. Brownrigg, who testified about it:

Senator McKELLAR. This committee had a hearing on the Department of Justice bill in May. Why was it that you did not come before this committee to see about these positions?

Mr. BROWN. They were not presented with the regular budget because the Director of the Budget decided to present the matter of the money for all of these personnel programs in the various departments to Congress in a separate appropriation item, and submit it to the deficiency appropriation committee, which was done.

Senator McKELLAR. And they were all turned down, were they not?

Mr. BROWN. Yes, sir; with the language that Congress approved the program, but that the program should be financed out of moneys already appropriated.

Mr. BROWN. Which they had.

Mr. McKELLAR. I continue to read:

Senator McKELLAR. You had an opportunity to come before this committee at that time. Why did you not do it, instead of overruling the committee? The committee turned you down. You overruled the committee.

Mr. BROWN. Senator, I am just a civil-service employee, and had nothing to do with what appeals should be made or how the fiscal affairs should be conducted.

Senator McKELLAR. Who established the position?

Mr. BROWN. The position was established by the Attorney General through regular civil-service procedure. The positions were created, and classification sheets were prepared and submitted to the Civil Service Commission in the regular way and approved by the Commission.

These gentlemen went through the process of going to the Appropriations Committee of the House and asking for appropriations for this very purpose. The House committee turned them down; and, simply overruling the House committee, disregarding the House committee, they went right ahead, just as though the House committee had told them to go ahead, and created the offices anyway.

Mr. CLARK of Missouri. They were merely trying to make two blades of grass grow where one grew before. [Laughter.]

Mr. BROWN. Mr. President, the Senator refers to the committee. It was a subcommittee.

Mr. McKELLAR. Yes.

Mr. BROWN. One subcommittee had approved the idea.

Mr. McKELLAR. This is what the full committee had to say about it: I now read from the report of the House committee:

Administrative Division: The work of the Administrative Division shows a continuing growth and it appears that increases in appropriations made to other divisions of the Department have been proportionately much greater during the past several years than the additional sums granted this unit to bear its proportionate share of the increased departmental activities. In the bill for 1940 the committee approved several increases in personnel throughout this Bureau on the basis of testimony presented the committee indicating that a genuine need existed for the positions requested. It appears, however, that instead of filling positions, the justification for which had been established to the satisfaction of the committee, the Department set up two new positions—one at \$6,500 and one \$4,600—without securing previous congressional approval for such use of the funds. Appropriations made in good faith for particular purposes must be used in good faith for such purposes and the tables of expenditures and estimates in the Budget must present a true picture with respect to each position authorized. The committee are eliminating the \$11,100 from the appropriation which represents the sum used for the purpose of filling these two positions.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. McKELLAR. I have not the floor.

Mr. BROWN. I yield to the Senator from Massachusetts.

Mr. LODGE. Will the Senator permit me to ask a question?

Mr. McKELLAR. Certainly.

Mr. LODGE. Is it not true, moreover, that the committee have adopted this year the policy of not making any increases for purposes of personnel management?

Mr. McKELLAR. That is entirely new. We have not done it in other departments.

Mr. LODGE. Although other departments have made such requests.

Mr. McKELLAR. They have made such requests. It has not been done; and we are treating this Department in the same way as the others.

Mr. BROWN. As a matter of fact, the entire appropriation will be less than it was last year.

Mr. McKELLAR. That may be true; but that is not the question involved. I think the departmental employees and officers ought to be fair and frank with the Congress. When they come and ask for appropriations for a certain purpose, they ought not to take the appropriations they obtain and use them for an entirely different purpose with which the Congress is not made acquainted. For that reason our committee agreed with the House committee, and the item was left out.

Mr. BROWN. Mr. President, I have been reliably informed by the gentleman who was acting chairman of the House subcommittee that there is considerable feeling in that committee that a mistake was made because of the fact to which I have alluded—the fact that the Subcommittee on Deficiency Appropriations had told these officials to go ahead in the manner in which they did go ahead. In view of that statement, is not the Senator willing to take the matter to conference and see if it can be worked out to the satisfaction

of the entire conference committee, rather than doing what seems to me to be an injustice to these two men, who are the victims of their superiors? Certainly they are the victims of the President and the Attorney General, because the President and the Attorney General told them to go ahead and take these positions, which they did.

I ask the Senator if he will not take the amendment to conference under those circumstances.

Mr. McKELLAR. Mr. President, I should be glad to do so if this were an ordinary case in which something had been left out and had not come before the committee, especially on the request of the Senator from Michigan, for whom I have the highest admiration and esteem and personal regard and fondness.

Mr. BROWN. I know now the Senator is going to turn me down. [Laughter.]

Mr. McKELLAR. I wish I could do it; but the committee has voted on the matter, and I feel that it would put me in an improper position before my own committee to yield to the blandishments of my friend from Michigan.

Mr. BROWN. If the Senator would call me some appropriate names that were not complimentary and agree to my amendment, I would feel better about the matter than I now do. [Laughter.]

Mr. McKELLAR. I could not do that.

Mr. BROWN. But I sincerely believe that a great injustice is being done to two men who absolutely are not responsible for this condition.

Mr. McKELLAR. I think there is something in the Senator's contention, at that.

Mr. BROWN. Under those circumstances, I think the matter ought to go to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan.

The amendment was rejected.

The PRESIDING OFFICER. The bill is still before the Senate and open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 8319) was read the third time, and passed.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

Mr. WHEELER, from the Committee on Interstate Commerce, reported favorably the nomination of Carroll Miller, of Pennsylvania, to be an Interstate Commerce Commissioner for a term expiring December 31, 1946 (reappointment).

Mr. WALSH, from the Committee on Naval Affairs, reported favorably the nominations of sundry officers for promotion in the Marine Corps.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

CIVILIAN CONSERVATION CORPS

The legislative clerk read the nomination of James J. McEntee to be Director of the Civilian Conservation Corps.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

CALIFORNIA DEBRIS COMMISSION

The legislative clerk read the nomination of Maj. Robert C. Hunter, Corps of Engineers, United States Army, to be a member of the California Debris Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

IN THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. SHEPPARD. Mr. President, I ask that the Army nominations be confirmed en bloc, and that the President be notified.

The PRESIDING OFFICER. Without objection, the Army nominations are confirmed en bloc, and the President will be notified.

That concludes the Executive Calendar.

AUTHORIZATION FOR COMMITTEE ON APPROPRIATIONS TO REPORT DURING ADJOURNMENT

Mr. BARKLEY. As in legislative session, I ask unanimous consent that the Committee on Appropriations may be authorized to make reports during the adjournment of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO THURSDAY

Mr. BARKLEY. As in legislative session, I move that the Senate adjourn until Thursday next.

The motion was agreed to; and (at 5 o'clock and 45 minutes p. m.), the Senate adjourned until Thursday, February 29, 1940, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 26, 1940

CIVILIAN CONSERVATION CORPS

James J. McEntee to be Director, Civilian Conservation Corps.

CALIFORNIA DEBRIS COMMISSION

Maj. Robert C. Hunter to be a member, California Debris Commission.

APPOINTMENTS IN THE REGULAR ARMY

Walter Campbell Short to be major general.

Robert Henry Lewis to be brigadier general.

Col. Virgil Lee Peterson to be the inspector general, with the rank of major general.

Col. Howard Kendall Loughry to be chief of finance, with the rank of major general.

Col. Joseph Andrew Green to be chief of Coast Artillery, with the rank of major general.

PROMOTION IN THE REGULAR ARMY

Charles Carlton to be major, Infantry.

POSTMASTERS

KENTUCKY

Benjamin F. Bailey, Adairville.

Jerry D. Shain, Madisonville.

OKLAHOMA

Sam J. Pointer, Sallisaw.

PENNSYLVANIA

James A. Yuengert, Reynoldsville.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 26, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O blessed Saviour of love, sympathy, and patience, we come to Thee for the forgiveness of sins and for the bread of life that Thou mayest be all in all to us. As daily life

rushes on, enable us to know ourselves to be true. Let selfishness be transformed until it embraces our friends, our community, our country, and our world. Heavenly Father, sanctify all bereavement, and grant that some leaves from the tree of life may fall and be caught for the healing of sorrow. We pray that Thy abundant blessings may be upon all Thy ministers of every name. Clothe them with power that they may make known the counsel of God for the welfare of men. Oh, unite Thy people by the affinities of the Christ love that charity and godliness may go forth throughout our land, crowning it with the glory of the Lord. We invoke Thy divine care to abide with our Speaker and the Congress. In our Redeemer's name. Amen.

The Journal of the proceedings of Friday, February 23, 1940, was read and approved.

FIRST DEFICIENCY APPROPRIATION BILL, 1940

Mr. WOODRUM of Virginia, from the Committee on Appropriations, reported the bill H. R. 8641 (Rept. 1672), making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1940, to provide supplemental appropriations for such fiscal year, and for other purposes, which was read a first and second time, and with the accompanying report ordered printed and referred to the Union Calendar.

LEAVE TO ADDRESS THE HOUSE

Mr. ANDERSON of Missouri. Mr. Speaker, I ask unanimous consent that after the regular business tomorrow I be permitted to address the House for 5 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. ANDERSON of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a speech I delivered at Akron, Ohio.

The SPEAKER. Is there objection?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of the Reciprocal Trade Treaty Act.

The SPEAKER. Is there objection?

There was no objection.

Mr. BUCK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a list, prepared by official sources, of career employees at the Mare Island Navy Yard.

The SPEAKER. Is there objection?

There was no objection.

Mr. BUCKLER of Minnesota. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a speech delivered over the radio by Hon. Leonard Eriksson, of Minnesota, on the Minnesota old-age pension assistance lien law of Minnesota.

The SPEAKER. Is there objection?

There was no objection.

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a short article written on the Platte National Park by Jack Diamond, editor of the Sulphur Times-Democrat.

The SPEAKER. Is there objection?

There was no objection.

PROBLEM OF UNEMPLOYMENT

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, on Thursday last every Member of the House received a letter signed by 24 of his colleagues inviting him to come to a meeting this evening at 7:30 o'clock in the World War Veterans' Committee room, No. 356, in the old House Office Building, for a discussion of the unemployment problem. I rise at this time simply to remind the Members of that meeting and to assure them that it has no preconceived purpose; that the meeting

is to be precisely what the letter said, an attempt to enable us through an interchange of views to sharpen our viewpoint toward the central problem of this century and to focus our attention upon it more directly, with the aim of thinking through to a broad general and effective approach to a solution thereof.

The SPEAKER. The time of the gentleman from California has expired.

BALANCING THE BUDGET

Mr. LEWIS of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks in the RECORD by placing therein a brief statement which I made in 1937.

The SPEAKER. Is there objection?

There was no objection.

Mr. LEWIS of Colorado. Mr. Speaker, the Appropriations Committee of the House of Representatives is to be congratulated upon the jealous care with which it has been scrutinizing all appropriations during the present session of the Congress. Substantial reductions have been made even below the Budget estimates for the next fiscal year. If this policy is persisted in and the House continues to support our Appropriations Committee until final adjournment of the present Congress, it is not unlikely we shall have made a good start toward approximating, at least, an essential but long-deferred balance between Federal expenditures and Federal income. Let the good work go on.

I have been taking the medicine I am prescribing. I have voted against billions of dollars of appropriations for worthy purposes which, nevertheless, I have been convinced, elementary financial prudence demanded we should either do without or at least postpone. I have voted against appropriations for excellent projects and worthy purposes which would have been of advantage to Colorado and to Denver. I have done this despite some protests from home. But I believe such action has the approval of those in Denver who realize that the evil day inevitably cometh, soon or late, to the Nation, as to the individual, that pursues indefinitely the policy of spending more than is received.

That I am no recent convert to the policy of prudent economy in Federal expenditures, appears from a statement made by me in this House during consideration of an appropriation bill on May 20, 1937. (See vol. 81, pt. 5, pp. 4861-62 of permanent bound edition of CONGRESSIONAL RECORD.)

Such warnings needed then, 2 years and 9 months ago, are imperative now.

My former statement is as follows:

Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have no particular objection to the paragraph which has just been read; but, as a very ardent Democrat and as a supporter of the administration, I wish to express a very solemn warning.

Within the last 4 years I personally have voted against billions of dollars of appropriations for worthy purposes, which, however, we could not afford. In addition thereto, I have voted against more billions of dollars of authorizations for appropriations for excellent purposes, which should be deferred. With all the earnestness of my soul, I say we are in a position comparable to that of one drifting in a boat down the river above Niagara Falls. If we value our safety, we had better pull to the shore. Day by day, if we but listen, we can hear more and more clearly the roar of those falls—the falls of national insolvency and then of inflation, with its attendant misery and suffering, which bear hardest upon the poor and those of moderate means. The President has given us warning again and again. He has suggested. He has warned. He has entreated. The leaders of this House have done the same. As you love our country and its people, my colleagues, remember we are not spending our own money. No. We are spending the money of the people of the United States. From every district in this Nation have come protests against extravagance. Repeatedly I have written in answer to earnest and persuasive pleas from special pressure groups for appropriations for excellent but costly schemes. "We cannot do it at this time. We cannot afford it."

I entreat you when we come to vote separately in the House on some of the amendments that have been adopted in Committee of the Whole to be reasonable. Think of the fact that we are not spending our own money. We are spending the people's money.

Please remember another thing. The receipts by the Treasury are hundreds of millions of dollars below the estimates from the revenue act which was passed last year. Furthermore, we have exceeded in this and some other appropriation bills the figures approved by the Budget. The Budget figures were based on esti-

mates of much larger returns from the tax bill passed last year than we now know we can hope to receive. In short, we now know that our income will be less than we had expected and our expenditures are greater than we had planned. And daily we are borrowing more money to run the Government.

I entreat you, as one who has in his own part of the country many worthy projects which I should like to have the Government undertake if we could afford it, for Heaven's sake be reasonable.

EXTENSION OF REMARKS

Mrs. O'DAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a short editorial from the Christian Advocate.

The SPEAKER. Is there objection?

There was no objection.

AMENDING BONNEVILLE PROJECT—CONFERENCE REPORT

Mr. DONDERO. Mr. Speaker, at the request of the gentleman from Texas [Mr. MANSFIELD], chairman of the Committee on Rivers and Harbors, I submit a conference report and statement on the bill H. R. 7270, an act to amend the Bonneville Project Act for printing under the rule.

EXTENSION OF REMARKS

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to extend my own remarks and incorporate therein two editorials from the Sheboygan Press relating to the St. Lawrence waterway project.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a release from the Department of Commerce, a letter, and a short quotation from the Washington Post and from the CONGRESSIONAL RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks by including an editorial and some excerpts from articles published in the Tribune and Times in such remarks as I may make this afternoon in relation to the deficiency appropriation bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DEPORTATION OF HARRY BRIDGES

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I have a letter from the San Francisco Industrial Union Council, affiliated with the C. I. O., criticizing me for the introduction of my bill to deport Mr. Harry Bridges. I am going to insert this in the RECORD and I am going to insert my answer thereto. I will ask the privilege of doing that.

It is a terrible indictment of the American Government, particularly the Secretary of Labor, that this undesirable alien, Harry Bridges, has not already been deported. It begins to appear that they think more of undesirable aliens in this country than they do honest, decent laboring people. I hope that everyone in the House will read the criticism that the C. I. O. has given me and my answer thereto.

Mr. Speaker, I ask unanimous consent to insert those letters in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

The letters referred to are as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., February 21, 1940.

MR. HERMAN STUYVELAAR,
Secretary-Treasurer, San Francisco District Industrial Union
Council, 593 Market Street, San Francisco, Calif.

MY DEAR SIR: This will acknowledge receipt of your letter of February 16, 1940, addressed jointly to myself, Congressmen FRANK HAVENNER, and RICHARD J. WELCH.

Since when have you become the judge of all that is right and rightful, or the judge of what may be in other people's minds? I ask this after reading the second and third paragraphs of your joint letter. In my opinion, you are just about as honest and

sincere when you write this letter as you are when you mislead labor in this country.

My bill is aimed at those who are against America and Americanism, who preach a doctrine of destruction of the American form of government. Naturally, if you uphold Communists and those who preach destruction of the American form of government, you would not agree with my bill.

If you were really sincere, you would welcome a bill that would purge all labor of these Communists. I do say to you that if socialism, fascism, Nazi-ism, or communism ever prevailed in this country, every single labor union would be wiped out, and I defy you to show me any labor union in Italy, Germany, or Russia.

I am going to ask you the question whether you, yourself, are a citizen of the United States.

Another thing you won't agree with me on is this. I don't believe any foreigner, who is not a citizen of the United States, has any right to represent American citizens in collective bargaining.

I have many enemies among the Communists and groups who preach destruction of the United States, and I want to say to you that I have always stated that a man can attain a certain high standing by reason of the quality of his enemies, and I thank God every night for every damn one of them.

Yours truly,

P.S.: With reference to the fourth paragraph of your letter, wherein you say that Mr. Bridges was completely exonerated by the trial examiner, Dean James M. Landis, in my opinion he might have been whitewashed, but he never was exonerated.

SAN FRANCISCO DISTRICT INDUSTRIAL UNION COUNCIL,
San Francisco, Calif., February 16, 1940.

Congressman LELAND FORD,
House Office Building, Washington, D. C.

Congressman FRANK R. HAVENNER,
House Office Building, Washington, D. C.

Congressman RICHARD J. WELCH,
House Office Building, Washington, D. C.

GENTLEMEN: We understand that Congressman LELAND FORD has introduced into Congress a bill calling for the deportation of aliens who "sympathize with or use the support of Communists," etc.

We hope and trust you are not being misled by Mr. FORD as to the intent of this bill—namely, the deportation of Harry Bridges and other labor leaders that have been engaged in militant and conscientious labor activities.

It is obvious that Mr. FORD's bill is merely intended to satisfy personal prejudice, antiunion and antilabor sentiments, and has no relation at all to promote the economic, social, and political welfare of our country.

As you know, Mr. Bridges, after an open and objective hearing, was completely exonerated by the trial examiner, Dean James M. Landis.

We are confident that intelligent Congressmen and Senators will brand Mr. FORD's attempts as completely un-American and that his bill will be promptly consigned to the wastebasket.

Respectfully,

SAN FRANCISCO DISTRICT INDUSTRIAL UNION COUNCIL,
HERMAN STUYVELAAR, Secretary-Treasurer.

EXTENSION OF REMARKS

Mr. THOMAS of New Jersey. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a radio address made by me on Washington's Birthday.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a short article I have here, published by a very strong Democrat in my section.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE DIES COMMITTEE

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, I rise at this time to express my opposition to the Dies committee holding its hearings in secret.

From press reports we are to believe this is necessary lest possibly unpleasant political questions might be raised which could have an ill-effect on the coming Presidential campaign. To avoid this it is proposed that the hearings be held in secret.

Granted open sessions of this committee may have political repercussions, desirable or otherwise. What of it? Of what

political party or faction are those who advocate this procedure so solicitous that they would resort to this secret procedure? We thought the committee was instructed by Congress to investigate communism and communistic activities in the United States. It is our impression it was to search out their sources and fearlessly expose them wherever they might be found, regardless of whether any political faction might be helped or injured.

Mr. THOMAS of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. THOMAS of New Jersey. I would like to say that the Dies committee did not vote secret hearings. It did appear in the press, however, that the committee was considering secret hearings, but the Dies committee never did vote secret hearings.

Mr. SMITH of Ohio. I am glad to hear that. I understood that to be the case. I understand also the gentleman from New Jersey, a member of the committee, is opposed to holding these meetings in secret. However, according to newspaper reports the gentleman from Texas [Mr. DIES], chairman of the committee, has proposed that these meetings be made secret.

Would not any other course the committee might pursue be dishonorable? Would it not be a clear breach of trust?

Indeed, does not the raising of this question cause suspicion of preconceived bias in those who raise it?

To hold these meetings in secret would be wrong in any event. In the first place, the committee is not guided by any fair rules of procedure having the approval or sanction of the public or which could receive judicial approval. This is not our criticism but that of members of the committee itself in the recent discussion in the House relating to the extension of the life of the committee. Though members of the committee at that time expressed their desire to adopt rules of procedure, the public has no assurance that such rules, even if adopted, would always give full protection to the citizens who appear before it. Under these conditions we should be short-sighted and arrogant indeed if we did not recognize the danger of injuring witnesses and suspects. Under such circumstances the power which the committee has to summarily order these people to appear before it for investigation is by no means a light procedure, even if it is done openly before the public. To do this in secret is going entirely too far, and Congress should put its foot down on it and in no uncertain way stop any such attempt.

Every man is entitled not only to his day in court but in open court. Furthermore, no man is guilty until he is so proven by a properly constituted court. It should be fully recognized that the work of this committee is of such a nature as to require each one of its members to be exceedingly fair and wholly unbiased. The members who are possessed of these qualities have no need whatever for secret meetings. Should there be any who do not have them they are wholly unfit to serve on the committee.

To hold these meetings in secret would be unwarranted, entirely un-American, subversive of the very purpose for which they are intended. They would be directly in line with the machinations of communism and totalitarianism, the very thing Congress authorized it to expose.

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and include a short resolution from the Oregon Farm Bureau on reciprocal trade agreement extension.

The SPEAKER. Without objection, it is so ordered. There was no objection.

ST. LAWRENCE-GREAT LAKES WATERWAY DEVELOPMENT

Mr. PITTINGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. PITTINGER. Mr. Speaker, the two Governments, Canada and the United States, for several weeks have been negotiating a new treaty having to do with the St. Lawrence

waterway program. This proposition means more to the consumers of the United States than anything else that will come before Congress for consideration at this session. It means that the Atlantic seaboard will be moved some 2,770 miles inland, and Duluth, Minn., where I reside, will become the head of navigation for the Atlantic seaboard. There is only one thing that will stop the march of progress and that is failure of ratification of that treaty in the Congress of the United States.

TREATY—CANADA AND THE UNITED STATES

Mr. Speaker, there are hopeful indications that we may expect a treaty between the Governments of Canada and the United States providing for the St. Lawrence-Great Lakes waterway development, a project that has been described as one of the greatest engineering undertakings of modern times. It is as important to the people of the North American Continent as was the building of the Panama Canal. In 1933 and 1934 a similar treaty was negotiated between the United States and Canada. It was submitted to the Senate of the United States for ratification, but met with defeat by the narrow margin of four votes. It may be expected that the new treaty will again come before the Senate of the United States for consideration before this session of Congress adjourns. It behooves every friend of the St. Lawrence seaway project to furnish the Senate with information as to the value of this project to the United States. The new treaty will be referred to a Senate committee where hearings will be held and interested proponents and opponents will be given an opportunity to present their views.

DEEPENING OF CHANNELS

If a treaty is ratified, it means that the ocean or Atlantic seaboard will be moved inland to Duluth, Minn., and Superior, Wis., at the extreme western end of Lake Superior, a distance of 2,770 miles. Every city and harbor on the Great Lakes shares this advantage. Certain channels in the St. Lawrence River will have to be deepened so that ocean-going vessels with a draft of 25 or 30 feet can pass through the same. Until these channels are deepened neither the eastern seaboard, nor the Middle West can have the advantages that come from ocean transportation rates. I do not here discuss the details, for the cost and other factors are just details. Nor do I talk about the vast amount of new electric power that will be created. That, in itself, is an unanswerable argument for the deepening of the channels.

OPPOSITION TO SEAWAY

This proposition to build a seaway to Duluth, Minn., is not a new one. People interested in doing things that will benefit the people of the world have backed the plan with time and energy in the years past. The march of progress requires that natural resources be used and developed for the general welfare of all the people. Also, the same law of conduct means that cheaper means of transportation inure to the advantage of every consumer on the continent.

Strange indeed therefore is the fact that we find powerful opposition to the ratification of a treaty with Canada. I have before me a communication from the Niagara Frontier Planning Board of New York State claiming that support for the seaway is based on a 1934 report that is unreliable, and calling attention to a resolution now pending in the House of Representatives for further investigation.

The communication states that there is opposition to the St. Lawrence seaway from the Maritime Association of Boston, the Maritime Association of New York City, the port authorities of New York City and Albany, the Virginia port authorities, the Lake Carriers' Association, the Association of American Railways, and also other groups and organizations.

NO BASIS FOR OPPOSITION

As I have indicated, the opposition is desperate, for the feasibility and great value of the waterway has been investigated and favorably determined many times. In 1909 there was created the International Joint Commission to deal with boundary waters between the United States and Canada. That Commission reported favorably upon the St. Lawrence seaway project. In succeeding years there have been many

other favorable reports. We need no further investigation at this time. It can only serve to delay the hopes and aspirations of those who see an inland waterway reaching to the sea.

MISTAKEN POLICY OF RAILROADS

The railroads have always adopted the mistaken idea that any waterway development will injure them. The very reverse is true. There is nothing that can take the place of cheap waterway transportation over long distances. Goods either move by water or they do not move when a long haul is necessary. Rather than see waterway development permitting such movement of freight by water, by the St. Lawrence waterway dug deep enough for oceangoing boats, the railroads would rather see no movement of freight at all. This is a short-sighted policy. Development of great water freight tonnage from the Atlantic seaboard to the inland empire of the West would mean a greater freight tonnage carried by the railroads. It would mean more work for the railroad employees. Every time this proposition comes up railroad employees are misled. They are told that the St. Lawrence waterway means fewer jobs on the railroads, and the usual propaganda is carried on to get the railway workers to help defeat the project. As I have pointed out, the waterway means more freight to be handled by the railroad employees in the Midwest, and more work for them.

THE MENACE OF SECTIONALISM

There is a philosophy adopted by some of our friends in the East that considers anything of advantage to another section of the United States, ipso facto, to be to the detriment of the East. Any such viewpoint would naturally consider the St. Lawrence seaway project to be terribly bad if it benefited the great Northwest, with a population of 40,000,000 people. I prefer the sounder doctrine that what is for the good of one section of the United States is for the good of all the people of this country. What harms one portion of our people harms all of them. The more advantages that the Northwest gains through projects such as the St. Lawrence seaway the more value it is to other sections of the United States. Not all of the East is sectional. Many eastern sections, and this is true of New York likewise, recognize that the St. Lawrence seaway project will benefit both the Midwest and the Atlantic seaboard. I congratulate them upon their broad viewpoint.

ATLANTIC SEABOARD WILL BENEFIT FROM WATERWAY

In 1929, Henry I. Harrington, president of the Boston Chamber of Commerce, prepared a book called *New England and the St. Lawrence seaway*. To those easily alarmed and frightened by the thought that what the northwest gains by the seaway, in corresponding proportion will other sections lose, I sincerely commend this book. Mr. Harrington points out that, with few exceptions, the Atlantic seaboard will gain by the building of the St. Lawrence seaway project. He says on page 32 of his book, in giving his views, based on careful study:

I am convinced that the St. Lawrence seaway is of as great importance to New England as to the Middle West, and that New England should unitedly, heartily, and enthusiastically support the project.

What Mr. Harrington said 11 years ago is just as true today. When this project is studied without fear or prejudice, and with an open mind, the party interested will reach the same conclusions as were reached by Mr. Harrington.

SOME ORGANIZATIONS FAVORING THE SEAWAY

The seaway project has powerful support from many groups, and I list a few of them. This Congress has a great responsibility when the new treaty with Canada comes before us.

Some organizations favoring the seaway are: Akron Chamber of Commerce; the American Bankers Association; American Farm Bureau Federation; American National Livestock Association; Associated Industries of Massachusetts; Board of Supervisors of the County of Clinton, N. Y.; Board of Trade of Duluth, Minn.; Border Cities Chamber of Commerce, Canada; Bowmanville Chamber of Commerce; Brantford Chamber of Commerce; Bruce Mines Board of Trade;

Canadian Deep Waterways and Power Association; Canadian Manufacturers Association, Toronto; Chamber of Commerce of the United States; Chambers of Commerce of St. Joseph, Benton Harbor, Lansing, Manistee, Traverse City, Saginaw, Bay City, South Haven, Grand Haven, Battle Creek; Champlain Valley Council (association of trade bodies on both sides of Lake Champlain); Chicago Association of Commerce; Chicago Board of Trade; Chicago Clearing House Association; Cleveland Chamber of Commerce; Collingwood Chamber of Commerce; Community Councils of Greater New York; Cornwall Board of Trade; Denver Civic and Commercial Association; Des Moines Chamber of Commerce; Detroit Board of Commerce; Detroit Transportation Association; Dominion Marine Association; Duluth Board of Trade; Duluth Chamber of Commerce; Dunnville Board of Trade; Eastern Ontario Municipal Power Union; Farmers Union of Nebraska; Fort William Board of Trade; Galt Board of Trade; Goderich Board of Trade; Grand Rapids Association of Commerce; Great Lakes Harbors Association; the Great Lakes Port Association; Great Lakes-St. Lawrence Tidewater Association; Hamilton Board of Trade; Hamilton Harbor Commission; Illinois Manufacturers' Association; Illinois State Chamber of Commerce (comprising the major cities of Illinois, however not including Chicago); Indiana Deep Waterway Commission; Indiana Manufacturers Association; Indiana Public Service Commission; Indiana State Chamber of Commerce; Indianapolis Chamber of Commerce; Institute of American Meat Packers; Kansas City Chamber of Commerce; Kingston Board of Trade; Lake Erie and Ohio River Canal Board; Massena Chamber of Commerce; Michigan Federation of Women's Clubs; Michigan Tourist and Resort Association; Milwaukee Association of Commerce; Milwaukee Civic Association; Minneapolis Civic and Commerce Association; Minnesota Federation of Farm Bureaus; Minnesota Federation of Farmers Clubs; Minnesota Livestock Breeders' Association; Minnesota Railroad and Warehouse Commission; Montana Livestock Commission; Muskegon Chamber of Commerce, Muskegon, Mich.; National Association of Real Estate Boards; National Hardware Manufacturers Association; National Waterways Association of Canada; Nebraska Farmers' Elevator Association; New York State Development Association (association of chambers of commerce, civic clubs, individuals, manufacturers, and bankers); New York State Grange; the Northern Federation of Chambers of Commerce (represents the public opinion of the entire area of northern New York State); North Minnesota Development Association; Ogdensburg Chamber of Commerce; Omaha Chamber of Commerce; Omaha Grain Exchange; Ontario Hydro-Electric Power Commission; Port Arthur Board of Trade; the Power Authority of the State of New York; Retail Merchants Association of Ogdensburg, N. Y.; St. Catharine's Chamber of Commerce; St. Lawrence County Board of Supervisors; St. Paul Traffic Association; Sault Ste. Marie Board of Trade; South Dakota Development Association; South Dakota Federation of Farm Bureaus; South Dakota Grain Dealers Association; Springfield Chamber of Commerce; Terre Haute Chamber of Commerce; Toledo Port Commission; Toledo Produce Exchange; Toronto Board of Trade; Toronto Harbor Commission; United States Farmers National Grain Dealers; United States Grain Dealers Association; the Upper Mississippi Waterway Association; West Coast Lumberman's Association (source the St. Lawrence navigation and power project by the Institute of Economics of the Brookings Institution); Western Ontario United Boards of Trade; Windsor Chamber of Commerce; Wisconsin Deep Waterway Commission; Wisconsin Railroad Commission.

By unanimous consent, Mr. PITTINGER was granted permission to revise and extend his remarks and include a list of some of the people and groups who are favoring the St. Lawrence waterway project.

EXTENSION OF REMARKS

Mr. HOPE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short article from the Topeka Daily Capital.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include statistical information concerning veterans of the World War.

The SPEAKER. Without objection, it is so ordered. There was no objection.

Mr. MILLER. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a radio address I made yesterday.

The SPEAKER. Without objection, it is so ordered. There was no objection.

Mr. RODGERS of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein a brief address made by me at Frederick, Md., on the occasion of the George Washington Birthday observance.

The SPEAKER. Without objection, it is so ordered. There was no objection.

Mr. BALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an article from the Putnam (Conn.) Patriot.

The SPEAKER. Without objection, it is so ordered. There was no objection.

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include a speech by Mr. A. M. Piper, editor of the Council Bluffs Nonpareil.

The SPEAKER. Without objection, it is so ordered. There was no objection.

Mr. VREELAND. Mr. Speaker, I ask unanimous consent to extend my remarks and include a statement by Mr. MacLeish and a radio address by Mr. Cameron.

The SPEAKER. Without objection, it is so ordered. There was no objection.

Mr. ELSTON asked and was given permission to extend his own remarks in the RECORD.

PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent that on Wednesday next, after the disposition of business on the Speaker's table and the legislative program for the day, I may address the House for 15 minutes on the Potomac Electric Power Co.; and I ask that the gentleman from Mississippi [Mr. RANKIN] be present, because I want to show that the Potomac Electric Power Co. is earning about 10 percent on its invested capital, not 60 percent, as some people would have us believe.

Mr. RANKIN. Mr. Speaker, reserving the right to object, I wonder if the distinguished gentleman from Williamsport, Pa.—

Mr. RICH. Woolrich, Pa.

Mr. RANKIN. Williamsport—would also mind discussing the enormous overcharges the people of the Williamsport area of Pennsylvania are now having to pay for electric light and power.

Mr. RICH. Mr. Speaker, I can take up only one city at a time. It will take me 15 minutes to convince the gentleman from Mississippi in regard to the Washington situation.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania that he may address the House for 15 minutes on next Wednesday after the disposition of the legislative program for the day?

There was no objection.

EXTENSION OF REMARKS

Mr. ROMJUE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a copy of an address delivered by Hon. James A. Farley, Postmaster General, at a public banquet preceding the first-day sale of the Samuel L. Clemens commemorative stamp, Mark Twain Hotel, Hannibal, Mo., on Monday, February 12 last.

The SPEAKER. Without objection, it is so ordered. There was no objection.

THE LATE ROYAL C. JOHNSON

Mr. RANKIN. Mr. Speaker, by direction of the Veterans' Association of the House, I ask unanimous consent that on next Monday, after the reading of the Journal and the disposition of matters on the Speaker's table, 1 hour may be devoted to memorial exercises for our former colleague, the

Honorable Royal C. Johnson, first chairman of the Committee on World War Veterans' Legislation.

Mr. FISH. Mr. Speaker, reserving the right to object, and I will not object because I hope the request will be granted, I want to ask those who served with Royal Johnson, particularly the veterans, to be here next Monday when eulogies will be paid to the memory of our former colleague, who was wounded in the World War and who was the first chairman of the Veterans Committee. Mr. Speaker, I trust the request will be granted.

The SPEAKER. The gentleman from Mississippi asks unanimous consent that on Monday next, after the reading of the Journal and the disposition of matters on the Speaker's table, 1 hour may be devoted to a memorial service for the late Royal C. Johnson. Is there objection?

There was no objection.

THE TRADE-AGREEMENTS PROGRAM

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, I take this minute to do what I did not have opportunity to do Friday afternoon because of the lack of time. It was a typical case of gag rule and limited debate such as always seems to arise when agricultural measures are being considered.

In particular I want to thank two Members on the Democratic side of the House, the gentleman from Washington [Mr. SMITH] and the gentleman from Montana [Mr. O'CONNOR], who saw fit to support the National Farm Bureau Federation amendment as exemplified in the amendment offered by the gentleman from Kansas [Mr. CARLSON]. As a member of the Farm Bureau, I want to express to them sincere appreciation, they being the only two Democratic Members who stood up and thus acknowledged the need for the amendment as expressed by the Farm Bureau Federation convention last November. [Applause.]

[Here the gavel fell.]

REPUBLICAN CANDIDATES

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SABATH. Mr. Speaker, it has been frequently insinuated by my colleagues on the left that I am too harsh in my criticism of the minority. I do not feel that I ever have been critical, but, if some have regarded my remarks as such, I wish to say they have been in just criticism of the Republican Party and not of any individual Member. However, today, not in criticism of the Republican Party or any Member, I wish to commend the minority leader the gentleman from Massachusetts [Mr. MARTIN] upon his splendid judgment in resigning from the Republican National Committee. It appears to me again that he is a gentleman of keen insight and judgment, unwilling to be used by the caliber of Presidential candidates of his party.

Mr. Speaker, at this time I also wish to congratulate another outstanding Republican, the great little fighting giant, mayor of New York, Mayor LaGuardia, who has given such good advice to the Republican candidates now in the field and who, if I have not misread the reports, made it plain to the American people that there is only one candidate that deserves their unanimous support, and that is our great President, Franklin D. Roosevelt. I feel that the American people will demand of him that he again serve in the interest of our country and the world for another 4 years, and in the interest of humanity and democracy he will be compelled to do so. [Applause.]

FISH RESTORATION AND MANAGEMENT PROJECTS

Mr. BUCK. Mr. Speaker, I ask unanimous consent that the bill (H. R. 6321) to provide that the United States shall aid the States in fish restoration and management projects, and for other purposes, previously referred to the Committee

on Ways and Means, be rereferred to the Committee on Merchant Marine and Fisheries.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. BUCK]?

There was no objection.

HOOR OF MEETING TOMORROW

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

There was no objection.

EXTENSION OF REMARKS

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. LAMBERTSON]?

There was no objection.

DISTRICT OF COLUMBIA

The SPEAKER. This is District of Columbia Day. The Chair recognizes the gentleman from West Virginia [Mr. RANDOLPH].

AMENDMENT OF DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION ACT

Mr. RANDOLPH. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H. R. 7265) to amend the District of Columbia Unemployment Compensation Act, and I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain this bill?

Mr. RANDOLPH. Mr. Speaker, I shall be glad to do that. The only purpose of this amendment is to withdraw newspaper carrier boys under 18 years of age from the provisions of the present act. It is very difficult to keep proper records of these boys whose employment is irregular. They do not need the protection of the law and it is felt by the Commissioners of the District of Columbia that this bill should be passed. The measure is brought to the House with the unanimous report of the committee.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 (a) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935, as amended, is further amended by adding a new paragraph:

"(7) Service performed by an individual under the age of 18 in the delivery or distribution of newspapers or shopping news, not including delivery or distribution to any point for subsequent delivery or distribution."

Sec. 2. This amendment shall be effective January 1, 1940.

With the following committee amendments:

Page 1, line 3, strike out the parenthesis "(a)" and insert parenthesis "(b)."

Page 1, line 6, strike out parenthesis "(7)" and insert parenthesis "(9)."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. RANDOLPH. Mr. Speaker, that completes the calendar for the District of Columbia Committee.

FIRST DEFICIENCY APPROPRIATION BILL—1940

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 8341) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1940, to provide supplemental appropriations for such fiscal year, and for other purposes; and pending that

motion, I ask unanimous consent that general debate shall continue for 2½ hours, to be confined to the bill and the time to be equally divided between myself and the gentleman from New York [Mr. TABER].

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

Mr. TABER. Mr. Speaker, reserving the right to object, has this bill been reported?

Mr. WOODRUM of Virginia. Yes; it has been reported.

Mr. TABER. Mr. Speaker, I desire to reserve all points of order against the bill.

The SPEAKER. Without objection, the gentleman from New York reserves all points of order against the bill.

There was no objection.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

Mr. TABER. Mr. Speaker, further reserving the right to object, I have a great many requests to speak on this bill, and I am going to take care of them the best I can. I hope when the controversial items are reached the Committee may be reasonably liberal under the 5-minute rule.

Mr. WOODRUM of Virginia. Just so we finish the bill today.

Mr. TABER. I do not know about other items, but there is one item that will take quite a while.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8341, with Mr. WHITTINGTON in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the first deficiency bill, 1940, just presented, was based on an aggregate of Budget estimates of \$94,089,843.11. The bill carries a total of \$90,069,139.11. The committee made reductions in the estimates totaling \$4,020,704. One item of \$60,000,000 was added to the bill in the full committee. I believe I shall say just a word about that at this time and leave a more detailed discussion of it to be given by one of the gentlemen more familiar with the subject.

It seems that a situation has developed with respect to the fund of the Department of Agriculture for the fiscal year 1940 for making soil-conservation and domestic-allotment payments under the soil-conservation program. When the Department of Agriculture fixed the rates to be paid farmers under the 1939 program, of course they had no accurate way of knowing how many would participate in that program. There has been a much larger participation than was expected. Congress also, by the Agricultural Adjustment Act of 1938, authorized an increase in the small payments. The cost of this increase was estimated, but the amount due to this cause has been larger than could be foreseen. These two factors, increase in small payments and larger participation than expected, make necessary an additional \$24,000,000. The law also authorizes advances to farmers for grants of aid—fertilizer, and so forth—and for crop insurance, and provides for payment of expenses of county associations, these costs all to be deducted from amounts of payments finally due to farmers. This latter group of expenses amounts to \$36,000,000 and represents an adjustment between fiscal years 1940 and 1941. This character of expense is recurring each year and there will need to be adjustments also in the future as between 1942 and 1941, and so forth. The total of these two sums, \$24,000,000 and \$36,000,000, or \$60,000,000, was placed in the bill with the very distinct understanding, I wish to emphasize, on the part of the Department of Agriculture, the Executive, the Bureau of the Budget, the Appropriations Committee of the House, and the agricultural leaders in the Senate, that an equivalent amount will be deducted from the agricultural appropriation bill, 1941, which is now pending in the Senate

committee. If the House today approves the \$60,000,000 in this bill, then I confidently believe the House expects the conference committee on the agricultural bill, when they bring that bill here with Senate amendments, to see to it that a corresponding reduction is made in the amount in that bill in the item of \$498,560,000 for soil-conservation and domestic-allotment payments. This \$60,000,000 is merely lifted, if this agreement is carried out, from that amount. It does not increase the Budget or the amount ultimately appropriated for this purpose, but it has the effect of lifting it out of the bill which is pending in the Senate and which would not become a law soon enough to meet these payments, and putting it in this deficiency bill. So I want to emphasize that point in this presentation to the Committee of the Whole, with the confident expectation that at the proper time the agreement that we have had with these gentlemen will be lived up to.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I am wondering if the acting chairman of the deficiency subcommittee is at liberty to quote the statement of the chairman of the subcommittee on agriculture of the House Committee on Appropriations in regard to this matter.

Mr. WOODRUM of Virginia. Yes; I feel confident I may with propriety quote the gentleman from Missouri [Mr. CANNON]—I do not see him on the floor at the moment—because he gave to the full committee the assurance that the House conferees would see to it that that amount was deducted from the bill pending in the Senate and stated that the leaders on the Appropriations Committee in the Senate had assured him they would make such a reduction.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from New York.

Mr. TABER. The only way the amount can be deducted is by the Senate doing it. The House cannot deduct anything from that bill at this time. We have passed on it and it is up to the Senate now. Unless the Senate will take it out we cannot stop it.

Mr. WOODRUM of Virginia. If the House puts this amount in the bill today, we are entirely at the mercy of the Senate, the Executive, the Bureau of the Budget, and the Department of Agriculture keeping faith with the House on this item. As far as I am concerned, I am not going to make a kick about it because I hope the time has not come when we have a definite and distinct understanding that we do not live up to it.

Mr. LAMBERTSON. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Kansas.

Mr. LAMBERTSON. The gentleman did not say so, but I suppose he implies that he has a Budget estimate for this \$60,000,000.

Mr. WOODRUM of Virginia. Word just came in this morning, so I am told, by a radiogram from the President that he had approved the Budget estimate.

Mr. LAMBERTSON. Came in from where?

Mr. WOODRUM of Virginia. From the President, on the high seas.

Mr. LAMBERTSON. I am going to raise the question of the legality of such a procedure.

Mr. WOODRUM of Virginia. Of course, the gentleman from Kansas knows that the House can put the item in a bill whether it has a Budget estimate or not, but when the Deficiency Subcommittee of the Committee on Appropriations had the hearing on the matter they did not put the item in the bill because there had been no Budget estimate. I feel confident that the full committee in its session this morning would not have put the item in the bill except for the fact that a radiogram from the President of the United States was received stating that he had signed the Budget

estimate and that in due course of time it would be in the hands of the Congress.

There is another point involved, that had this item not been put in the bill in the House it undoubtedly would have been put in in the Senate. We feel that Members of the House who are interested in this subject have some right to take care of these problems without always waiting for it to go to the other body.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Texas.

Mr. MAHON. Does not what the gentleman is saying simply mean that whereas the House in the agricultural bill appropriated \$500,000,000 for soil conservation and domestic-allotment-plan payments, if this amount is placed in this bill the \$500,000,000 will be reduced to \$440,000,000, and the expenditure over a 2-year period will be identical?

Mr. WOODRUM of Virginia. That is the correct inference.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Montana.

Mr. O'CONNOR. Will the \$60,000,000 to which the gentleman has referred take care of the payments that are due those farmers who participated in 1939 under the Agricultural Adjustment Act but have not received their entire payments for the year 1939?

Mr. WOODRUM of Virginia. That is the purpose of putting it in the bill, I may say to the gentleman, and that is the reason that motivated the committee in accepting it.

I do not want to take up a lot of the time of the Committee, so I shall very briefly outline some of the more important items in this bill.

There is an item in here with regard to W. P. A. which I believe should have a very brief explanation. When we passed the relief act of the current fiscal year we placed a limitation of \$50,000,000 on the amount which might be used by W. P. A. for administrative expenses, reducing by \$20,100,000 the amount the Budget had requested to be used for administrative expenses. We did not take the money out of the bill, but we placed a limitation on the amount which might be used for administrative expenses, and that limitation was \$20,100,000 less than the Budget had placed it, thereby having the effect of making \$20,100,000 more of their funds available to pay relief clients rather than to pay administrative employees.

The committee knew, of course, when we made that drastic reduction that it was a drastic reduction, and we meant to make a drastic reduction, but before the bill had finally passed and became law Works Progress Administrator Colonel Harrington, conferred with the conferees of the House and the Senate and demonstrated rather forcefully that the cut had been so drastic that his administrative set-up in the several States and the District would be so cut that, perhaps, we would accomplish the very reverse of what we were trying to accomplish, which was a better administration of W. P. A.; and the committee unanimously agreed tentatively with the Works Progress Administration that at this session of Congress we would make some further relaxation in that limitation on administrative expenses. The amount discussed then was that there would probably be another \$6,000,000 needed. W. P. A. has made some reductions and made a good deal of progress in trying to straighten out their administrative difficulties and in curtailing the expenses of salaries, communications, travel, printing and binding, and so forth, but they do need this \$3,950,000 for administrative expenses, and there is carried in this bill authority for W. P. A. to use of their funds not exceeding an additional \$3,950,000 for administrative expenses.

May I reiterate that this is not increasing the amount appropriated for W. P. A., it is further liberalizing the amount they may use for administrative expenses. We understand they will go through the fiscal year without asking for a deficit and, perhaps, have an unexpended balance; and I would like to emphasize at this point that this is one of the few times that the relief program has gone through the year

without some kind of a deficiency or supplemental amount being asked of the Congress. I believe the Congress can take some measure of credit for reforms written into W. P. A. and for its careful check and supervision of its program, which has made this possible.

There is an item carried for forest-fire control of \$3,550,000. It has been the custom for many years to carry a nominal item of \$100,000 in the agricultural appropriation bill for fighting forest fires on Government reservations.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield myself 5 additional minutes.

Mr. MOTT. Mr. Chairman, will the gentleman yield for a question on forest-fire protection?

Mr. WOODRUM of Virginia. Yes.

Mr. MOTT. Is that the same amount that has been carried heretofore?

Mr. WOODRUM of Virginia. No; this is the amount estimated by the Budget. What amount does the gentleman refer to as being the same amount that has been carried heretofore?

Mr. MOTT. One hundred thousand dollars for forest-fire protection.

Mr. WOODRUM of Virginia. Yes; the custom has been always to carry \$100,000 for fighting forest fires, and after the season is over to appropriate whatever they have used of their own funds for that purpose.

Mr. MOTT. And was that amount carried last year?

Mr. WOODRUM of Virginia. One hundred thousand dollars is carried every year, but we appropriate at the end of the session whatever they have had to use for fighting fires.

Mr. MOTT. And this year it is \$3,550,000?

Mr. WOODRUM of Virginia. Yes; they cannot anticipate how much it is going to amount to.

Mr. MOTT. There used to be an item in the agricultural bill of \$80,000 to help take care of forest-fire protection on land under the jurisdiction of the Interior Department. That was dropped, and I was wondering, when the gentleman mentioned this item, whether it had been restored.

Mr. WOODRUM of Virginia. This is not the same item. This is under the Department of Agriculture.

Mr. MOTT. This item of \$80,000 was carried in the agricultural appropriation bill, but it was for the purpose of fire protection on lands under the jurisdiction of the Interior Department, such as revested grant land. That is not carried here?

Mr. WOODRUM of Virginia. That is not in this bill, and I do not know about the other bill.

Mr. CARLSON. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. CARLSON. I notice the Budget recommended an appropriation of \$3,000,000 for the Bureau of Entomology and Plant Quarantine for insect-pest control and the committee is recommending \$2,000,000, a reduction of \$1,000,000. Evidently the committee had some reason for making that reduction.

Mr. WOODRUM of Virginia. The reason is that they have a \$400,000 carry-over. As the gentleman knows, this fund has been largely used for grasshopper control, and we have been told by the Department of Agriculture and the Bureau of Entomology that these surveys indicate the grasshopper infestation should not be as intensive as last year. We are hopeful that the \$2,400,000 will take care of the grasshoppers, the chinch bugs, and the other pests.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Montana.

Mr. O'CONNOR. Referring to the \$3,550,000 item under the head of Forest Service, do I understand that this total amount of \$3,550,000 will be available for the purpose of putting out and suppressing fires in the Government and forest reservations throughout the country?

Mr. WOODRUM of Virginia. No; it is not available for it; it is to reimburse other appropriations that have already been spent. We have always handled this program by letting them use their general fund and then reimbursing them be-

cause we cannot anticipate what their needs may be. They will proceed in the next year just as they have done this year and use whatever funds they have to use for forest-fire fighting, and we will then reimburse them just as we have always done.

Mr. O'CONNOR. May I ask what the gentleman's attitude will be in the event we have a dry season in the forest territory, as we have been having in the past, and fires break out and we have not sufficient money with which to put them out? What will be the gentleman's attitude about an emergency bill or a deficiency bill covering such a situation?

Mr. WOODRUM of Virginia. That will not be necessary, because they are authorized to use their general funds for that purpose and come in and be reimbursed. They have never had any difficulty about that item.

Mr. O'CONNOR. And I ask the same question with relation to the amount set forth in the bill providing for insect control. Suppose we have another outbreak of grasshoppers and other insects such as we have had in the past, what will the gentleman's attitude be in the future with reference to a deficiency appropriation or an emergency bill to take care of such situation?

Mr. WOODRUM of Virginia. We will try to give it careful and sympathetic consideration.

Mr. Chairman, just one other item I want to mention which I think we will hear a good deal about. That is the item of \$5,000,000 for the housing census. The committee put this in the bill. In the first place there is a Budget estimate. In the second place, it is authorized, and in the third place, as late as February 8, on the direct issue, on a roll call on the appropriation bill providing for the Departments of State, Commerce, and Justice, for 1941, which carried \$2,166,000 for this housing census, the gentleman from New York [Mr. TABER] moved to recommit the bill and to take the money out of the bill and provide that none of the funds should be used for the housing census. On that roll call the vote was yeas, 135, nays, 210. Therefore, with such an emphatic recent expression of the sentiment of the House, plus the facts shown in the hearings, and the House having expressed its desire to have the housing census taken, it was stated, and not controverted, that it could be taken while the population census was being taken at just about half what it would cost at any other time—under those circumstances, the committee felt fully justified in placing the item in the bill.

Mr. McLEOD. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes.

Mr. McLEOD. It is a fact, is it not, that at the time the vote was taken it was the general understanding of the House that there was to be no penalty for refusing to answer these questions?

Mr. WOODRUM of Virginia. I do not know what the understanding of the House was, but the direct issue was raised, and the roll call which is in the RECORD of February 8, on page 1250, shows that on the vote to strike it out, 135 voted yea and 210 nay; so it seems to me that the Committee on Appropriations had specific instructions to put it in this bill. However, it is back here again for the consideration of the Committee.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes.

Mr. STEFAN. The gentleman will agree that there is considerable opposition to this census because of some embarrassing questions that are to be asked.

Mr. WOODRUM of Virginia. I have understood there is considerable opposition to some of the questions to be asked in taking the housing census, but it is understood they are usual questions.

Mr. IZAC. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes.

Mr. IZAC. I notice on page 2, the appropriation for rivers and harbors has been cut to \$1,500,000 from the Budget estimate of \$2,000,000. Would the gentleman seriously oppose an amendment to put that \$500,000 back?

Mr. WOODRUM of Virginia. What appropriation?

Mr. IZAC. For the dredging of San Diego Harbor.

Mr. WOODRUM of Virginia. I do not now recall the details of that. It seems to me that the committee came to the conclusion that work could be carried on as rapidly as they needed now considering the funds they have had, the money in this bill, and the allocation to be carried in the regular 1941 bill. If the gentleman can make any showing, he will have an opportunity to do so. The committee thought that would be a sufficient sum to carry on the work.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. TABER. Mr. Chairman, I yield myself 10 minutes. I am going to confine what I have to say to one subject in this bill, because if I have anything else to say it will be said with reference to amendments that might be offered. There is an item on page 9, line 15, extending over to page 10, line 2, for \$5,000,000 for part of the so-called housing census. This is the situation as I view it. Unless this Congress comes to a realizing sense of its responsibility and stops inquisitorial practices such as are set forth in the hearings on pages 124 to 127, inclusive, with reference to this housing census, this country is in a bad way. That is one feature of the housing census. It is an inquisitorial proposition. They want to know the monthly rental, the monthly value of the property, they want to know the number of persons living in the property, the rental value of the property, and they want to know how much money these people have available to expend. They want to know about the mortgages on the property and almost every other conceivable thing. There seems to be a concerted movement on the part of the people of the country in opposition to this proposition. In many cases housewives are organizing, stating that they will take the broom to these census enumerators. I am receiving letters by the dozen from all over the country. Is it not about time that we became responsive to what confronts us in the country? That is one feature of the proposition. The other is this.

This housing census is conceived as part of a larger housing program, one which has already gotten the Government of the United States into debt \$1,600,000,000 for guaranties to these localities who have constructed these outfits, and it is designed by the promoters to get the country into debt many billions of dollars more.

The result of these housing operations of the Federal Government has been business stagnation on the part of the building industry, and just so long as we go along with that kind of performance we will have stagnation. There is only one way to bring about economic recovery in this country and to put the housing industry of this country to work, and that is to meet our Federal situation, balance our Budget, stop the foolish wasting of the people's money. There is never going to be a better time to start than right now. If we stop this operation, if we throw out this \$5,000,000, we will not only save \$5,000,000, but we will save \$8,000,000, because stopping this money right here means that we will stop the whole housing census program. We will get rid of that inquisitorial performance and we will set the star of hope burning in the breasts of the American people, because we will have done something to stop the wasting of money by the billions, which has been going on for the past 8 years and which has prevented the possibility of economic recovery.

Now, the question is, Is there going to be any sense of responsibility on the part of individual members of the House of Representatives, or are we going to be carried away by the press of that crowd which has been endeavoring to foist regimentation and inquisition on the people of this country for the last 7 or 8 years? Have we the courage to stand up and be counted in favor of honest business, in favor of freedom and of saving the people's money, or are we going to be on the run in a continuous state of emergency? Are we going to keep the people of the United States in a continuous state of emergency?

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. REES of Kansas. From what source comes this demand for this expenditure of \$5,000,000 to make this inqui-

sition? Who is demanding that we spend this \$5,000,000 to ask the questions enumerated here?

Mr. TABER. From the bureaucrats who believe in regimentation and have no regard for the rights or money of the American people. The whole pressure for that proposition comes from them. Nothing will be sacred enough to any individual so that he can keep it to himself if we go along with the performances that are laid out here.

Mr. GILCHRIST. Mr. Chairman, will the gentleman yield.

Mr. TABER. I yield.

Mr. GILCHRIST. Are these inquisitors to be under civil service or are they patronage for the party which is in power, who will draw this money?

Mr. TABER. Oh, they will be patronage, of course. There is a possibility of 200 questions in each case with reference to which the family secrets will be available to the inquisitor.

Mr. REES of Kansas. Will the gentleman yield further?

Mr. TABER. I yield.

Mr. REES of Kansas. I would like to call attention to the fact that under some W. P. A. projects, housing information was gathered throughout the States, and I think you will find over in our Library a document which we had here a few days ago, showing a lot of information with reference to housing conditions in this country. It seems to me that if these bureaucrats, who want this information, must have it, they can get it from that source and at least save several million dollars.

Mr. TABER. There are several questions that the W. P. A. could not ask with reference to the intimate affairs of people. This bureaucratic crowd not only wants to spend money, regardless of whether there is any reason for it, but they want to spend it for the purpose of annoying the ordinary citizen of this country. They are so far superior, in their own minds and in their own ideas, to the ordinary folks of this country that they have absolutely no regard for the rights of the people here.

I hope that an amendment will be adopted wiping out this language. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER. Mr. Chairman, I will try to carry on where the gentleman from New York [Mr. TABER] stopped because of his time limitation and say at the outset that I am definitely opposed to appropriating another dollar for the Census Bureau until they eliminate from their questionnaire certain questions considered by many competent authorities as illegal questions; certainly questions never authorized by any law that I have been able to find.

I have received 10 to 15 letters a day for the past few weeks on this subject, letters coming from very substantial citizens, Democrats and Republicans alike. I recall one letter I received this morning from a man who said:

I have no objection to filing with the Internal Revenue Department the facts relating to my income. I have no objection to abiding by the laws of my State and filing in the town clerk's office the mortgage that is on my home. But—

He says—

I definitely do object and will refuse to answer any questions asked me by a political appointee who comes around asking the amount of mortgage on my home, when I pay the interest, whether I reduce the principal at the time I pay the interest, and what my income from various resources amounts to.

The attitude of the Census Bureau on this matter has been all wrong.

I wrote a letter to the Bureau in good faith asking them about these questions that I was hearing about in my mail, but all I got in explanation was the statement that the census had been taken for 150 years. I knew that, but there never has been a census taken where they went into a citizen's home and asked him the amount of his income.

It has been said and will be said today that there is a severe penalty imposed against a census taker who discloses any of the information he obtains. This promise does not mean a thing to the average citizen today, and I will tell you

why. The average citizen has lost confidence in the promises of his Government. I hate to admit that fact, but there is the reason, they have lost confidence. We assured the people of the Nation that the contents of their income-tax returns would be confidential, in fact, almost sacred; yet just a few months ago the President, by an Executive order authorized the Internal Revenue Department to turn over to a committee of the Senate, the La Follette Committee, certain income-tax returns. If that can be done with an income-tax return, what assurance has the average citizen that a month or 2 months from now the President will not issue another Executive order making public the information disclosed to the census takers?

And the Members of the House can well be reminded that these questions are to be asked by men who have received their appointment solely and purely because of their political connections. I have no great objection to that, although I do feel that there should not be a man hired for that work until the last of those on the civil-service registers had been used. I realize there are not enough on that list and I have no objection to the remainder of the jobs being used as patronage, but I have no confidence that the information the enumerators obtain will not be noised about, particularly in the small communities.

The suggestion was made on the floor of the House a few days ago that the census enumerators might well be taken from eligibles on the relief rolls, on the waiting list. The gentleman from Mississippi [Mr. RANKIN] said that that had never been done before and that it will not be done now. It has never been done before because we never before have had 10,000,000 of unemployed on waiting lists for public relief when a census was taken. To say that people on the waiting lists of the relief agency are not competent to take this census is a reflection on the fine men and women on those lists. I know several people in my own district who have one or more college degrees, yet who are standing around waiting for a chance to get 40 hours' work a month from the W. P. A. To brand such people incompetent is, in my estimation, an unfortunate reflection on the W. P. A. waiting list. [Applause.]

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 5 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, I simply want to point out in this brief time the conditions existing in my own State and surrounding States with reference to insects, grasshoppers, and so forth. I have here a letter from the Farmers' Educational Cooperative Union of America located at Great Falls, Mont. This branch of the union is very well informed. This information may be absolutely relied upon. The letter is addressed to me and reads as follows:

Information coming to this office indicates that the grasshopper and Mormon cricket situations while not as serious as last year, is still extremely critical in some parts of Montana. The area commonly known as the triangle district, which is the high production wheat area of the State, is heavily infested with grasshopper eggs.

The counties of Liberty, Hill, Blaine, Phillips, Choteau, Fergus, Teton, and Pondera are much more heavily infested than was the case last year. We also learn that the situation is critical in parts of North and South Dakota, Nebraska, Kansas, and Colorado.

The Federal Government owns thousands of acres of land in this area, much of which is set aside for grazing purposes only.

I might say the case is understated, for the Federal Government owns one-third of the acreage of my State.

It is a direct obligation of the Federal Government to care for insect control work on these Federally owned lands.

We also feel, that since the grasshopper is migratory, and insects hatched in other States fly to another doing great damage to crops, it becomes a direct concern of the Federal Government to appropriate money for funds to combat grasshoppers.

The proper form of appropriation would be one in which the original funds of \$5,000,000 was set up and an additional appropriation to be made each year to replenish the portion of the fund used. If such legislation were enacted, it would relieve farm organizations and the department of entomology from its continual battle each session of Congress for funds.

I wish particularly to have the chairman's attention to this statement:

We are told that \$3,500,000 will be needed. We hope we may have immediate and favorable action on the part of Congress.

The letter is signed by Harold Brown, secretary of the Montana division of this union.

I might say that I am informed that conditions surrounding Montana are about the same as they are in the Dakotas and Nebraska.

I am giving you this information so that you will be better prepared to act on an amendment that I will propose to increase the appropriation to \$3,000,000, the amount recommended by the Bureau of the Budget. [Applause.]

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Chairman, this bill carries an item of \$5,000,000 toward paying the expenses of taking the Sixteenth Decennial Census. I opposed the bill providing for a housing census last August, which authorized the expenditure of \$3,000,000 to ask the American people a lot of useless questions they have never been asked before in any census. This \$5,000,000 appropriation is a part of that \$3,000,000 authorization.

Today I introduced a resolution asking that questions 32 and 33 be deleted from the census forms which have been printed under the direction of the Secretary of Commerce, which questions have to do with inquiries into the incomes of the American people. Such questions have never been asked before. I doubt the authority for these questions, as this census is to be taken under the provisions of the act of June 18, 1929. The law of June 18, 1929, provides for the fifteenth and subsequent decennial censuses, providing that it shall be restricted to inquiries relating to population, agriculture, irrigation, drainage, distribution, unemployment, and mines. It is entirely silent upon the income of the people.

Never before have the people of this country been asked by a census enumerator what their income was, how much it was, where they got it.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. If the gentleman will just defer his question, I will yield later if I have time.

In addition to that, Mr. Chairman, under this \$5,000,000 appropriation for the housing census the American people, for the first time since the Republic began, are going to be asked some embarrassing questions:

Present amount of outstanding indebtedness on first mortgage or land contract; on junior liens?

Frequency and amount of regular payments on first mortgage or land contract?

Do these regular payments include principal reduction? Yes or no. Real-estate taxes? Yes or no.

Interest rate on first mortgage or land contract?

Type of holder of first mortgage or land contract: Building and loan association, commercial bank, savings bank, life-insurance company, mortgage company, H. O. L. C., individual, other?

I say they are embarrassing questions because the list that has already been prepared and distributed by the Bureau of the Census, Department of Commerce contains two unusual questions. I hope it will be the sense and judgment of this House that certain of these questions be not asked. I may say an identical resolution has been presented in the Senate to strike out questions 32 and 33. These two questions are:

What amount of money, wages or salary, do you receive, including commissions?

Did this person receive income of \$50 or more from sources other than money, wages or salary? Yes or no.

I hope these questions may be stricken entirely from the census questionnaire in order that the American people may be spared from being compelled to divulge their most intimate and private affairs. These questions are going to be asked them beginning April 1 of this year unless this Congress corrects this glaring inquisition.

I understand that the Secretary of Commerce justifies questions 32 and 33 of the census on the ground that those

two questions, relating to the income of the people, are akin to population.

There is not a Member of this House who could not think of a lot of questions that might be delicate and intimate, and yet have more to do with population, but it is inconceivable, and I think the Members will agree with me, that the income of the individual has anything to do with population.

I want to call your attention to a few of the questions that are going to be asked through this appropriation. If you are not at home when the enumerator comes, and that enumerator may be your neighbor, your political enemy, your competitor in business, or someone in the neighborhood who would glory in having the information that they would obtain, and which you will be forced to give under penalty of either paying a fine or going to prison if you refuse to answer, or both, your wife will have to answer. I want you to listen to some of the questions you are going to be asked if this \$5,000,000 is appropriated.

I hold in my hand a preliminary list of inquiries given out by the Department of Commerce on this very subject. This is what your wife is going to be asked if you are not at home:

Toilet facilities in structure; flush toilets; for exclusive use or shared flush toilets. Other outside toilet or privy. Bathtub or shower with running water in structure, for exclusive use or shared with other householders—

And so forth. In addition to that you are going to be asked the amount of mortgage on your home, the rate of interest, whether or not you have kept up your payments, how much your payments have been, and whether or not the regular payments include principal reduction. Yes or no. Real-estate taxes. Do you pay them? Yes or no. Then in addition to that, the wife might be asked whether or not she has been married one, two, or three times before, her age at the time of her first marriage, what language was spoken in her home during her childhood, how many children she had. That is the type of questions that a freedom-loving people are going to be asked beginning the 1st of April of the present year if this appropriation of \$5,000,000 is retained in the bill.

I hold in my hand a copy of the census questions that are going to be submitted. It contains some fifty-odd questions. The two objectionable questions on this list are numbers 32 and 33. These two are asked because the Secretary of Commerce, as I understand it, claims they are akin to population: The amount of money, wages, or salary received, including commissions. Did this person receive income of \$50 or more from sources other than money, wages, or salary?

Mr. REED of New York. Will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from New York.

Mr. REED of New York. I call the attention of the gentleman to the fact that for the first time in the history of the country Harry Hopkins has placed a question in the regular census relating to income.

Mr. DONDERO. I thank the gentleman for his contribution. It is not enough that those who are fortunate enough to have an income large enough on which they pay income taxes to have to submit information directly to their Government, and no one complains about that, but this is an entirely different proposition. These questions are going to be asked by people who live in your community. You will be forced to divulge information as to your private affairs.

Mr. HARNESS. Will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Indiana.

Mr. HARNESS. Can the gentleman tell us under what authority they put those questions in there?

Mr. DONDERO. I may say that the questions for the census of 1940 are predicated upon the law of 1929. There is no authority except that the Secretary of Commerce, as I have been informed, claims that in broad phraseology he has a right to ask those questions on the basis that the question of income is akin to population.

Mr. HARE. Will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from South Carolina.

Mr. HARE. I did not intend to elaborate on the purpose or value of this particular appropriation, but I do want to

call the gentleman's attention to what appears to be an error when he said that at no time in the history of this country had the Government made inquiry with reference to the income of the people. I call his attention to the operations of the Labor Department and every other department of the Government, as well as every special investigation that has been made by the Government, going back to 1908, if I recall correctly, when the Congress authorized a special investigation into social and economic conditions of the women and child wage earners of this country. There the regular schedules specifically requested of each individual the type of work he or she was performing, the rate of wage he or she was obtaining, the total weekly wages and the monthly wages, and the yearly income.

Mr. DONDERO. Was any of that ever taken under a census?

Mr. HARE. Not under what we know as a decennial census; but it was a schedule authorized by the Congress and carried into the homes of hundreds of thousands of people, possibly millions of people, who were engaged in industry, and it obtained from them the daily, weekly, monthly, and yearly income—presumably for the purpose of ascertaining the social and economic condition of these people with the idea that possibly appropriate legislation might be enacted for their benefit.

Mr. DONDERO. Now, just a moment. I yielded only for a question—not for a speech.

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield 3 additional minutes to the gentleman from Michigan.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Michigan.

Mr. MICHENER. Reverting to the gentleman's observation concerning the confidential nature of the information asked, I may say that I am receiving many protests along that line. This is an excerpt from one letter:

Now, my complaint is largely that local people should never be assigned to work of this nature, and I am sure that had I known beforehand that the person was a member of the family of my competitor in business I would never have consented to give her the confidential information wanted, as I am quite sure that it will not be treated as confidential in the community.

Mr. DONDERO. I thank the gentleman for his contribution.

In answer to the gentleman from South Carolina, may I say that this is an entirely different proposition. In this case the information is to be obtained by people living in your own community, who may know you, or who may be your most bitter enemy and would just relish and feed upon the information you would be compelled to divulge under the questionnaire of the census about to be taken.

I hope this appropriation may be deleted or stricken from this bill in order that this inquisition—and that is what it is—may be stopped and the American people not be embarrassed in their homes and in their private affairs, the privacy of which is guaranteed to them under the Constitution of the United States. Eternal vigilance is still the price of liberty. Unless the American people wake up to what their rights are, they may soon have no liberty.

Mr. KUNKEL. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Pennsylvania.

Mr. KUNKEL. I am very curious to know whether the other censuses to which the gentleman from South Carolina referred carried a criminal penalty for failure to answer.

Mr. DONDERO. I am inclined to believe after listening to my good friend from South Carolina that they were undoubtedly industrial censuses, taken in an entirely different way than a census of this kind, the decennial census. That is the difference between the two, if such censuses were taken. There were no penalties of punishment provided in them, I am sure.

Mr. KUNKEL. The persons giving the information could answer or refuse to answer as they saw fit?

Mr. DONDERO. I am not able to say definitely on that, but undoubtedly those censuses were different from the census before us at the present time.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Washington.

Mr. LEAVY. The gentleman has referred to questions 32 and 33.

Mr. DONDERO. They have nothing to do with the housing census, I may say to the gentleman.

Mr. LEAVY. That is the point I wanted to get at. The appropriation we have under consideration deals with housing alone?

Mr. DONDERO. That is for housing, yes; and I cited the questions we are going to be asked under that particular census.

Mr. LEAVY. To strike this appropriation out of the bill would not in any way affect the matter that has been discussed by the gentleman.

Mr. DONDERO. It would not affect questions 32 and 33. It would affect the housing census. [Applause.]

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Chairman, there is little that I can add to the observations made by the gentleman from Michigan and the gentleman from New York, but my interest was aroused by the colloquy between the gentleman from Michigan and the gentleman from South Carolina a moment ago, when the latter called our attention to the fact that upon previous occasions the Congress had authorized some department of the Government to make a certain type of investigation to gather information concerning conditions in industry. Of course, we have often done that; but I do not believe we have ever embodied in such a resolution a penalty to be imposed against persons who declined to answer. I am quite sure I am right about that. I have been here some years, and I do not recall any investigation of that kind being conducted with a penalty attached that included a possible jail sentence, which is what is involved in this case.

Mr. HARE. If the gentleman from New York would care to have me answer that inquiry, I may say that I am not prepared to say that a penalty was attached, but I am prepared to say that under a rule or regulation issued by the Department to its enumerators or agents the construction of the Department was that Congress had empowered them to compel any individual to answer the questions on the schedule. Just what the penalty would be I shall have to admit I am not prepared to answer, but I may be able to find that out.

Mr. WADSWORTH. I believe the gentleman will find that we never in any such resolution threatened to put people in jail.

While we are on that point, Mr. Chairman, let me read in part section 9 of the law which has to do with this penalty:

It shall be the duty of all persons over 18 years of age, when requested by the Director of the Census, or by any supervisory enumerator or special agent or other employee of the Census Office, acting under the instructions of the said Director, to answer correctly to the best of their knowledge all questions on the census schedule applying to themselves and to the families to which they belong or are related.

You can see the ramifications of this thing. They can take an 18-year-old boy and put him on the grill about the debts of his mother or his father or his older brother; and if he does not answer, he can be fined or sent to jail, or both. It is an amazing performance. "The family of which he is a member or to which he is related," is the language.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from Wisconsin.

Mr. KEEFE. I am wondering if the gentleman has given consideration to a situation such as this. Take the situation in my own case. I have a 21-year-old son who will be the only person at my home available to give this information

when the census enumerator calls. What about the value of the information he may give if he is asked questions and attempts to answer those questions? They will call upon him, he will be there, and they will attempt to ask him about my debts and the amount of the mortgage, and all that sort of thing. Of what value will it be for him to attempt to answer questions on matters about which he knows nothing?

Mr. WADSWORTH. Of course, the gentleman is the only person who can give an answer to his question. I do not know how much reliance I would feel in my own son if he happens to be at my office at home when these people come. They might ask him an awful lot of questions. He might wire me to get some of the answers. I would be very slow in replying to that wire—very slow. [Laughter.]

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. WOODRUM of Virginia. Aside from the question of the merit or demerit of the proposition which the gentleman is discussing, just to keep the record straight, the gentleman will find on page 115 of the hearings Mr. Austin was asked the question as to what authority there was for asking the questions and for the penalties cited, and he cites section 9 of the act of June 18, 1929, the Decennial Census Act, which had a penalty section in it for failure to answer questions in the census.

Mr. WADSWORTH. That is true. The penalty section which I read in part is lifted, of course, from old law.

Mr. WOODRUM of Virginia. He further stated, however, that he did not think the department had ever resorted to trying to enforce any penalties under it.

Mr. WADSWORTH. Maybe so, but I do not believe in granting power to the Government and then hoping it will not use it. [Applause.]

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, sometimes there is some pretty good information or some good opinion that comes out of old New England. Perhaps we are not quite up to date in that section of the country in New Deal methods or in New Deal methods of taking a census, but I hold in my hand a clipping from a paper published in North Adams, Mass., a very powerful editorial, as it seems to me, which I ask permission to insert in the RECORD.

The CHAIRMAN. The gentleman will have to secure such permission in the House and not in Committee.

Mr. TREADWAY. Then I shall read extracts from the editorial, the title of which covers an entire answer to the problem that is before us at this time. The title of the editorial is "None of Their Business," and that is exactly the way I size up the questions under discussion with respect to the 1940 census at the present time.

The editorial says:

As a matter of fact, there are questions included which no citizen of a free democracy should be compelled to answer. That those who drew up the prying questionnaire did not realize what the reaction of a normal American would be to such questions as "What is the value of your home, if you own it, or what rent do you pay?" or "What is your race or color?" is surprising, to say the least.

Then it goes on to say:

Then it was arranged that 2 out of every 40 persons questioned would be required, on pain of a \$500 fine or imprisonment, to answer a supplementary list of extremely personal questions regarding previous marriages, divorces, the language spoken at home during his childhood, the birthplaces of his parents, and similar data which, baldly, is none of the Government's business.

Then there are other questions anent the size of the mortgage, if any, on your home; facts on the heating and cooling apparatus in your home; cost of utility service and appliances.

And, to top it all, you are supposed to tell the census taker, whoever he or she may be, the amount of money, wages, or salary received, including commissions, you made in 1939, and whether you got an income of \$50 or more from other sources.

If there ever was an inquisitorial type of foolish and none-of-your-business questions, there is a sample of them.

Then it says this:

It will be interesting to see if Congress fails to delete the more objectionable questions and eliminate the penalties—and it must go against any American's grain to be told that he'll be fined or sent to jail if he doesn't tell some stranger things which, the chances are, his own brother doesn't know—how many will defy their too curious Government. We have a suspicion that if the penalties were really to be enforced, the jails and courts would be somewhat crowded.

I think this expresses the sentiment of this House better than trying to analyze the questions, and that we are definitely of the opinion that unless these questions are very materially changed, and the Government asks questions that are the Government's business rather than none of their business, as this editorial says, the jails of the country are liable to be filled through an enforcement of the fine-and-penalty provision. The gentleman from New York who just preceded me is apt to be included unless his position as a Member of this House exempts him, because he has stated that he would be very slow to answer his son's inquiries; in other words, he would tell his son that he was not going to answer the inquisitorial nonsense of the census taker.

The questions themselves are extremely objectionable. The gentleman from South Carolina [Mr. HARE] spoke of the economic value of these questions. I would like to ask him if, under the housing schedule, there is the slightest economic value in knowing whether you have an individual bathtub or whether you share it with someone else—what economic program does that carry out—and whether the bathtub or shower has running water or not.

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield the gentleman from Massachusetts 3 additional minutes.

Mr. TREADWAY. The present presiding officer is the distinguished gentleman from Mississippi. He presides excellently over this Committee of the Whole House, and over the committee of which he is the distinguished chairman. I would like to ask him how he is going to use the toilet unless it is a flush one, and whether he would have it for the use of his own house, or share it with his neighbors. This questionnaire does not say where that neighbor must live. Would you have to ask him to make use of the facilities of your house? In this list, there are questions enumerated that might be asked, possibly by the Income Tax Division, but here if you refuse to answer you are to be sent to jail. I would not want to see that happen to such a distinguished gentleman as the presiding officer here; but that is the situation if it is followed out to the letter. Of course, when it comes to questions 32 and 33, you then reach into the very heart of the matter. Why should this census enumerator need to know whether you have received \$50, more or less, outside of your salary? Someone must have sat up nights to figure out these ridiculous and improper questions that are incorporated in this census sheet. The only benefit I can possibly see that might come from this ridiculous situation is that if the census enumerator is paid upon the basis of foolish questions asked, then he is going to get a big rake-off; he or she, as the case may be. That is the only benefit that can possibly come from such foolish questions as the public is to be asked to answer.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. CRAWFORD. I think it has been thoroughly established that the interrogations with reference to household equipment are prompted by the building industry and the suppliers of those particular items. If the constitutional provision calling for this census carries with it the power in the Census Bureau to put into this list the interrogatories which some outside pressure group desires to have put to the people and answered, where is there any protection for the people under this scheme of taking the census?

Mr. TREADWAY. There is not supposed to be. It is an inquisitorial proposition that will not protect anybody from anything or do anybody any good.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. WIGGLESWORTH. Mr. Chairman, I yield the gentleman 2 minutes more in order to ask him a question. Has the gentleman given consideration to questions 28 to 33, inclusive, in the housing-schedule questionnaire?

Mr. TREADWAY. May I interrupt the gentleman? To start with, there are three different sheets. Will one census enumerator take all of these answers?

Mr. WIGGLESWORTH. There are three possible censuses with over 300 questions.

Mr. TREADWAY. And the gentleman is asking me about the housing schedule?

Mr. WIGGLESWORTH. I refer to the housing schedule questions 28 to 33. They call for information as to the market value of all owner-occupied property, as to whether or not there is a mortgage on the property, as to the present amount of outstanding indebtedness, as to the payments required on the mortgage, if any, whether monthly, quarterly, semiannually, or otherwise; whether the payments include any amount for reduction of principal; whether they include real-estate taxes; what interest is charged on the mortgage and who holds the first mortgage, if any. Does the gentleman think these questions are proper questions or that they serve any useful public purpose?

Mr. TREADWAY. If they serve any public purpose it is for the people who have asked the questions to answer that. It is beyond my mental capacity to give the gentleman any definite reply to the question that he asks.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Yes. I yield to my neighbor because I may have some mortgages that affect him, or he may have something on me.

Mr. MILLER. Could the gentleman tell me whether, if the enumerator comes to a gentleman's house and asks these questions and does not conclude until Saturday night, he may invite him to make use of the bathtub?

Mr. TREADWAY. Oh, I suppose that would depend upon whether it is shared with somebody else, with a neighbor. I do not think you could, unless you have said that this is not your exclusive toilet and bath. And I do not know whether that applies to both in the same room or not, but at any rate it would definitely apply in some way, and the answer to that question would be how you have answered these previous fool questions in the questionnaire.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. WIGGLESWORTH. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield.

Mr. MICHENER. I have had a number of letters inquiring about this penalty. For instance, supposing the question is as to the quality and quantity of toilet paper used in each family, and the person interrogated refuses to answer?

Mr. TREADWAY. Is that in here? [Laughter.]

Mr. MICHENER. I have been so informed.

Mr. TREADWAY. Well, it is like the kitchen stove. Everything is in here. If they use the wrong kind of toilet paper, it might clog the plumbing, and then you would get into trouble again, perhaps with an additional fine and imprisonment.

Mr. BOLLES. How about using the Sears-Roebuck catalog? [Laughter.]

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 5 minutes to the gentleman from South Carolina [Mr. HARE].

Mr. HARE. Mr. Chairman, it will not be my purpose to discuss the merits or demerits of the various interrogatories of this housing census schedule, but in view of the criticism to the effect that this is something new, unheard of, and apparently a trespass upon the rights and privacy of the homes of the people of this country, I want to call attention

to an act of Congress providing for an investigation of special census a number of years ago. I read a part of an act of Congress passed June 29, 1907, which is as follows:

That the Secretary of Commerce and Labor be, and he is hereby, authorized and directed to investigate and report on the industrial, social, moral, educational, and physical condition of women and child workers in the United States wherever employed, with special reference to their age, hours of labor, term of employment, health, illiteracy, sanitary and other conditions surrounding their occupation, and the means employed for the protection of their health, persons, and morals.

The only criticism that is lacking so far today is that this census schedule does not inquire into the morals of the people, but the resolution referred to, passed in 1907, conducted in 1908, which was a census of woman and child wage earners, did permit inquiries into the morals of such persons. Enumerators first had to get information from the individual homes, or the individual families. They had to inquire of the mothers and daughters and children to get this information. They went a great deal further there than is contemplated in this schedule because they had the right, under that authorization, to inquire into the morals of the individual.

It had been suggested that we might ask a man whether or not he was divorced or married again. Certainly. There is no embarrassment there, if legitimate. That is not a new inquiry.

I want to read some of the inquiries in this schedule, which is a copy of the schedule used back in 1908 by the Bureau of the Census and Bureau of Labor.

Mr. KUNKEL. Mr. Chairman, will the gentleman yield?

Mr. HARE. I yield.

Mr. KUNKEL. I wonder if the gentleman could answer the question that I brought up when the gentleman from Michigan was speaking. Does this one to which the gentleman is referring carry a criminal penalty for failure to answer the question?

Mr. HARE. I cannot answer what penalty it carried because I do not know, but I do know from a historical standpoint that the law provided that the department had the right to compel anyone to answer the questions in the schedule.

Mr. MILLER. Mr. Chairman, will the gentleman yield for a brief question?

Mr. HARE. I yield.

Mr. MILLER. May I repeat my belief that this is the first time in any census for any purpose that a man has ever been required to divulge his income. I maintain that those two questions are definitely without authorization. I grant that these other questions were asked. I do not grant that they were necessary, but I would like to clear up the point as to whether there is any authorization for the question in regard to income.

Mr. HARE. I will read the inquiries on this schedule to which I have referred, and the gentleman can draw his own conclusion.

Mr. MILLER. But the gentleman is evading my question because that would not be an authorization for this purpose, because that was an authorization for the Secretary of Labor to conduct an investigation.

Mr. HARE. No; it was directed to the Secretary of Commerce and Labor, there being no Secretary of Labor at that time. The Bureau of Labor was in the Department of Commerce, and the authority to conduct the investigation was lodged with the Bureau of Labor and Bureau of the Census.

Mr. MILLER. But I have not heard anything about income.

Mr. HARE. All right; I will read. This schedule makes, first, the inquiry as to the post office, residence, and address; city, town, and State; the name of head of the family. It then inquires as to the number of years the head of the family has been in the United States.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. LUDLOW. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. HARE (continuing reading):

Race of husband?
Race of wife?
Date of birth?
Occupation?
Earnings during the past year?
Amount paid to family?

That means, of course, whether or not the husband took the money and paid it to the family or spent it somewhere else. Other inquiries are as follows:

Years worked in present industry.
Income of the family from other sources (for example, cow, swine, garden, poultry, etc.).

If that does not find out what a man's income is, I would not know how to proceed; but listen to further inquiries on same schedule:

Total income of family?
Is dwelling owned or rented?
If rented, by whom owned?
Give detailed description of dwelling.
Separate house or rooms in tenement?
Number of stories high?
Number of rooms occupied by family?
Number of rooms used for sleeping purposes?
Character of foundation?
Is house painted?
Is house plastered?
Is house celled?
Has house pantries or closets?
How is house heated?
How is house lighted?
Outdoor privy or watercloset?

[Laughter.]

A great deal has been said here about outdoor toilets or inside toilets, but this schedule went further than that. Listen again:

Outdoor privy or watercloset?

Then it goes a little further and it inquires:

By whom is privy cleaned?

[Laughter.]

Now what do you think of that as compared with the schedule that has been so severely criticized here this morning?

There are other inquiries in this same schedule reflecting the amount paid for rent, for fuel used, and whether members of the family used tobacco and the annual cost of same, whether they drank Coca-Cola and the amount spent annually for this innocent beverage; whether they made contributions to the church and how much, whether the family availed themselves of the opportunities for amusement and the amount of the annual bill. The particular schedule from which I am reading shows a detailed description of the house furnishings in one family, as follows:

All old and of the cheapest make. Sitting room contains a bed, couch, sewing machine, a washstand, and a few chairs. Other bedrooms contain beds and chairs only. The kitchen contains a stove and table with the necessary pots and pans. Window shades and curtains of the cheapest material. The sitting room had mats for covering and other rooms were bare. The only pictures of any kind on the wall are the family records hanging above the fireplace.

Proceeding further it says:

The oldest girl and oldest boy go to the city and sometimes attend the theater or moving-picture show. The boys congregate in the company store in the evenings. Sometimes they go to church and to Sunday school.

The same Government report from which I am now reading, found in volume 16 of the report of the Commissioner of Labor, 1910, illustrates the character of the study, investigation, or census made by giving an inventory of the wardrobe of each member of the family. And from the standpoint of privacy I hesitate to read into the record all the inquiries made and articles named in response thereto, but to show the housing census bill now being discussed and criticized does not contemplate inquiries near so embarrassing as those contained in the schedules back in 1908 when the special census or investigation already referred to was taken, I read from this same volume on page 44 where it recites a rather

complete inventory of articles bought for one of the daughters of the family (age 21) and the amounts paid for such articles. I quote:

One cloth suit valued at \$25; 1 linen suit, \$12; 3 cotton waists, \$3; 2 percale waists, 60 cents; 1 linen skirt, \$2; 1 Persian lawn dress, \$6.50; 4 calico dresses, \$2.42; 1 gingham dress, 95 cents; 1 silk petticoat, \$6; 6 cotton petticoats, \$6.50; 4 pairs cotton drawers, \$1.87; 2 corsets, \$2; 6 corset covers, \$3; 4 cotton nightgowns, \$4; 3 straw hats, \$12; 23 pairs of stockings, \$7; 5 pairs shoes, \$11.50; 1 pair silk gloves, \$2—

And so forth. The point I am trying to illustrate is that the schedules of 1908 certainly contained inquiries that went much further into the privacy of the home and the individual than the inquiries contemplated in the proposed schedule for taking a housing census. If the schedule exhibited here today contained inquiries designed to find out the number and quality of underclothes worn by the mothers and daughters of this country I would certainly vote against this appropriation.

Mr. Chairman, to come before this House and argue against the appropriation on the ground that it is a trespass upon the privacy of the home for the first time in the history of this country is absurd. As I said at the outset, I do not care to enter into an argument as to the wisdom, propriety, or the economic value of these inquiries, but I do want to submit that it is not a new undertaking on the part of this Government. I assume the purpose of the inquiry is somewhat similar to the purpose of the investigation or special census made in 1907, 1908, 1909, and 1910 when the alleged purpose was to make inquiry into the social, educational, and economic condition of women and child wage earners in the United States. If we had the right then, if we had the authority then, and if we could do it then without trespassing upon the privacy or rights of the people, I see no reason why it cannot be done today with equal propriety.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HARE. I yield.

Mr. SMITH of Ohio. Does the gentleman believe it is proper for the Federal Government, or that the Federal Government has the right, to inquire, as a part of census taking, into the morals of any of our citizens?

Mr. HARE. I do not think it is a function of government to try to regulate the morals of the people, no; it is not a function of government. I believe, however, that the Federal Government has a right to collect statistics and information as a basis for legislation for the benefit of the public generally. [Applause.]

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, we are not living under the Constitution adopted by the fathers in Philadelphia. The people never would have ratified that Constitution had it not been for certain amendments which were later adopted, which amendments constitute the Bill of Rights. In that Bill of Rights, which is a part of the Constitution, are not less than 24 personal liberties for which mankind has fought down through the centuries to obtain; and there they are the bulwark of American liberty, the most-cherished heritage and of more value than anything else in this country to be bequeathed, unimpaired, to their children.

This attempt to select 120,000 local political appointees, armed with authority of law and directed to invade 30,000,000 American homes to pry into their personal affairs, is a violation of the Bill of Rights. Look at section 4 of the Bill of Rights and see the protection that is thrown around the home of the individual. No person, no power of government, can cross that threshold unless by an order of the court after certain facts have been presented showing that either a crime or a near crime has been committed. A sworn statement is required to be presented to the judge; yet here you propose to nullify that provision of safety to individual rights

by circumventing it through this means of sending 120,000 snoopers with full authority to cross that threshold and pry from the people information that no power on earth could otherwise obtain except under a court order. It is a reprehensible proposition; and while it would be easy to ridicule these questions, a fundamental principle of liberty is involved here—and I would remind this House that we still have some dignity here; some responsibility to the people; or it should have. We still owe some obligations to a free people who sent us here; and I would read from the words of Thomas Jefferson in reply to the President when he said it was the duty of American citizens to answer these questions and to have confidence in Government officials. Here is what Thomas Jefferson said when the question of confidence was presented to him:

It would be a dangerous delusion if our confidence in the man of our choice should silence our fears for the safety of our rights. Confidence is everywhere the parent of despotism. Free government is founded on jealousy, not in confidence. It is jealousy and not confidence which prescribes limited constitutions to bind down those whom we are obliged to trust with power. Our Constitution has accordingly fixed the limits to which, and no further, our confidence will go. In questions of power, then, let no more be heard of confidence in man, but bind him down from mischief by chains of the Constitution.

That is precisely what the people sought to do in the Bill of Rights, and it is high time that we listened to the voice of a free people who are sick and tired of seeing their individual rights nibbled away by degrees. If you ever pry from the Bill of Rights this plank in section 4 you will have started the whole program of destroying all these 24 individual liberties in the Bill of Rights. So I am here appealing to you as a matter of principle. You are not general agents, you are special agents. Your duties are defined by the Constitution, and I say there is far more reason now for your stopping this snooping program, this invasion of personal rights than as though you were acting directly. But I say to you that a bureaucrat, a bureaucrat has framed these questions, and he has gone far outside of the intent, or the letter, or the spirit of the law enacted by this Congress; and what is worse you have delegated certain authority which he has subverted to his own purposes, and you have delegated rights to a type of man who had the temerity and effrontery to say that "the people are too damned dumb to understand." I wonder if he is sitting down there in his cloistered office smiling away saying the Congress is too damned dumb to interfere in the interest of the people? [Applause.] If you ever vote for this appropriation in this bill you will be placing your stamp of approval upon his act by which he proposes to send the political snoopers into the homes of this country.

I do not propose to have my family insulted by being asked these questions. I remember when the N. R. A. was in vogue, they approached me, they approached my family, and wanted us to sign a pledge card. I refused. Then a man was sent from Washington and said, "What shall I tell the President?" I did not sign that card, neither did my family. I have some rights left as an American citizen and I do not propose to see this Congress dragged down into the mire and slime by delegating inquisitorial powers to a bureaucrat in the Department of Commerce. I urge you as patriots today to assert your rights and the rights of a sovereign people of the United States. It should be your desire to earnestly and sincerely and faithfully represent the people who have honored you with the position you occupy here, not as the spokesman of the Executive but as the spokesman and as the voice of your people. You are here to preserve, protect, and defend the sacred private rights of the people as guaranteed by the Constitution.

I might call your attention to a little bit of old Anglo-Saxon philosophy expressed many years ago when they were fighting for their personal liberties and the protection of the home.

William Pitt, Earl of Chatham, said:

The poorest man in his cottage bid defiance to all the force of the crown. It may be frail; its roof may shake; the wind may blow through it; the storms may enter, the rain may enter—but the King of England cannot enter; all his forces dare not cross the threshold of the ruined tenement.

There is no more sacred place than the American home. Except for the American home there could be no government such as we enjoy, and it is our duty here as representatives of a free people to throw a cloak of protection around those homes. The sanctity of our homes should be kept inviolate. Men are going to come and quiz your wife; men for whom you have no respect whatever, no confidence, perhaps political enemies of yours, as has been stated on this floor; men lacking in character. They are going to take a keen delight in insulting your family if they are unfriendly toward you. Do not think for a minute they will not peddle this information. May I transgress at this point to draw a comparison. At least 130,000,000 people have been propounding a question to our Chief Executive. [Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. REED of New York. Mr. Chairman, the sovereign people of the United States have placed in the highest office within the gift of a free people the President of the United States, and they would like to know whether he is going to run for a third term. Why he resented the question, and assumed the purpose was to invade his private affairs, is in conflict with his views on the proposed housing census snooping. May I say that the average sovereign citizen cannot escape the census taker by boarding a ship and heading out into the unknown on the high seas, guarded by two battleships paid for by the taxpayers. No; they have to face the snoopers. If he can decline to answer that question asked by the sovereign citizens, how can he expect the sovereign citizens to betray the confidences of their homes to the census takers that he sends into their houses? We have had experience with the extent to which these things are considered confidential by the Government. We were all told, when they were going to obtain confidential information, that it was to be hermetically sealed and no human eyes were to see it, but when the first case rose in which the people who gave the information were involved, the head of the C. I. O. stepped forward and said: "I have all the information." He had the Government reports. Do not think for a minute this information will not be broadcast to the country in due time if it will serve any political purpose.

The time has come to stop it, and I propose this day that every man here cast a record vote so that every free-born American citizen may see just where his Representative stands on this fundamental issue of liberty.

Mr. CRAWFORD. Will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Michigan.

Mr. CRAWFORD. It is my understanding, and my position has been sustained, that article I, section 2, clause 3, of the Constitution, which covers this census-taking authority, carries with it the power that the Bureau can force the people to answer these questions. If a Bureau head becomes so avaricious, as the result of an ulterior motive or otherwise, to ask such personal questions, what is the defense of the people against such intrusion? Can the Congress pass a law which takes away from that Bureau the right to put into forms the questions such as we have discussed here, or is that beyond the power of Congress?

Mr. REED of New York. This Congress has the absolute power within its constitutional rights to see that no bureaucrat under delegated authority trespasses beyond the spirit and the intent of the Congress, speaking for a sovereign people.

Mr. CRAWFORD. And the only way we can do that is to stop this appropriation?

Mr. REED of New York. Stop the appropriation and repeal the law later. [Applause.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. Mr. Chairman, I do not think any of us would necessarily take issue with the gentleman from New York [Mr. REED] on the general statement he has made in reference to protecting the rights of our citizens under the Constitution;

but his statements were so general and so foreign to the issue we are considering now that they really have no place here. Let us analyze this matter for a moment.

Last August the Congress passed legislation by a record vote requiring the Bureau of the Census to take a housing census, which is the only thing we are concerned with here. In compliance with that legislation a Budget estimate was submitted to the committee, full hearings were held, a report was made, and the sum involved here was approved by the committee, and now for the purpose of complying with the mandate of this Congress, we seek to make this appropriation.

We come now to the question whether or not a housing census is one so foreign to our economic, social, and political life that it should not be given consideration. If you will turn to page 120 of the hearings you will find that nearly every country in the world takes a housing census. If you will turn to the matter which is really the crux of the argument here, pages 124-125 of the hearings, you will find the 33 questions broken down and made clear. I am willing to state on my reputation as a lawyer and as one who has been on the highest trial bench of my State for 10 years, that you cannot find a single question in this list that even remotely could be considered an incriminating question, not a single one. You can read the list of 33 questions and not find a question that any honest, self-respecting, law-abiding citizen would not gladly, freely answer.

Someone may say, "Why, they will ask you if you have a mortgage and they will ask you what interest you pay on it and they will ask you when it comes due." Those things are all a matter of public record in every county in the land. Someone may say, "Well, they will ask you concerning the number of rooms you have in your house." Surely it is not a crime to tell that. "They will ask you what the water and toilet facilities are in your house." There is nothing criminal in answering that. No private rights are invaded. It is there for anyone to see. Most of us who have modern homes find a pleasure in showing them to friends and acquaintances.

There is a reason, and a sound reason, for asking these questions. I cannot see why gentlemen on the minority side of the House oppose this. We have been asked, and irrespective of which party is in control after 1941, we will be asked to legislate upon these great economic questions from time to time. Our trouble has been and is now that we do not have factual information upon which to act. This is an opportunity for us to get the facts first hand. Then, if the New Deal housing program is found to be an unsound one or an unnecessary one, we will know that we ought to stop it. If, on the other hand, the facts disclose a condition in reference to housing far worse than any of us have yet thought it was, we want to legislate to better that condition. Surely we should not be denied the facts, and that is all this questionnaire is for.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from New York.

Mr. TABER. This census will not in any way demonstrate the fallacies in the New Deal housing racket, because the problem is, What are they going to do with the people they crowd out of the places they take up, and what are they going to do with the buildings they put up? They cannot find people to qualify to move into the houses they are now building, and they cannot find places for the people who move out of the ones they tear down.

Mr. LEAVY. May I say in answer to the gentleman from New York that I cannot agree with the statement he makes.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 5 additional minutes to the gentleman from Washington.

Mr. LEAVY. It is my belief there are literally millions of Americans who live in shameful hovels. This situation ought to be remedied if it can be remedied. Under this census we will have an opportunity to get the facts as to what housing conditions are, and then perhaps private enterprise will be willing to go into the regions where housing problems are acute and offer their services. At any rate, why should we

not have the courage to get the facts and, irrespective of how ugly they may be, try to improve the situation?

With regard to moving someone out of a poor house and putting him into a good one, surely none of us will object to that if it can be done economically and if it is politically sound and socially right.

Mr. MURDOCK of Arizona. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Arizona.

Mr. MURDOCK of Arizona. May I say that I endorse heartily what the gentleman has just said about the need of finding out the facts. Exact information is what we need before we can legislate wisely. Have we not heard it said during the past several years that we know nothing about the problem of unemployment, that all our estimates of the number of unemployed are but guesses? Have we not often heard that said?

Mr. LEAVY. We have heard it said very often.

Mr. MURDOCK of Arizona. Do we not need more than anything else involving the unemployment problem to find out how many unemployed persons there are? And all we can learn about them?

Mr. LEAVY. We certainly must, and we should also know the home conditions under which they live. We should not be compelled, as we have been during the short time I have been in this Congress, of constantly passing legislation when we know little of what the true facts are. I am sure that if the situation were reversed and the Republicans were in power, with the existing condition as it appears today, you would find the Members on this side of the House supporting an appropriation of this kind for the purpose of securing first-hand factual information that is dependable and reliable and upon which we can act intelligently. Why, Mr. Chairman, should we be afraid to face facts?

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Why should it be necessary to give the same information to two bureaus of the Government? The Internal Revenue Bureau has all the information anyone can possibly give them as to the receipts and expenditures, and so on, of individuals as well as partnerships.

Mr. LEAVY. They probably do as to the income-tax payers, but that issue is not involved at all in this measure because here we are only concerned with providing money to take a census of housing. Look through these 33 questions and show me one question that states anything about the individual's income. There is not a question of that type here. These questions deal entirely with the home in which he lives, the conditions surrounding it, and what, if anything, his needs are to bring him up to a fair standard of living. We want to find how many of our citizens live in accordance with our boasted American standard and how many of them live in substandard homes. We all know there are some terrible and shameful places where men, women, and helpless children are forced to live.

Mr. KNUTSON. Is it not wise to curb this constantly growing interference on the part of the Government with the lives of our people?

Mr. LEAVY. When that condition exists, surely it is, but it is the Government's duty first of all to see that the American citizen is given an opportunity to live in the best home America can afford him. This Nation is just as good or bad as its homes are when considered in the aggregate.

Mr. KNUTSON. How is it going to provide anyone with a home to ask him a lot of questions?

Mr. LEAVY. If we have the facts here and if legislation will offer relief, we can intelligently legislate. If legislation does not offer relief, then we can intelligently decline to legislate. My complaint is that we are compelled to act in almost a complete absence of facts. This will bring out the facts concerning the important question of housing.

Mr. KNUTSON. The gentleman is exceptionally intelligent—

Mr. LEAVY. I thank the gentleman, but I must decline to yield further because I want to yield to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK of Arizona. Is it not true, as the gentleman sees it, that in the great field of human endeavor and social and economic improvement we have made less strides than we have made with regard to the mechanical arts and sciences?

Mr. LEAVY. There is no question about that.

Mr. MURDOCK of Arizona. And is not that deplorable fact due to lack of factual information with regard to living conditions and sociological data?

Mr. LEAVY. I think very largely so, and here we have an opportunity to get reliable and dependable information.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield.

Mr. MOTT. The President has told us that one-third of the people of the Nation are ill-clad, ill-fed, and ill-housed. Does the gentleman think we need any further confirmation of that statement through a census?

Mr. LEAVY. I think it is always well to get the facts first-hand. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. SHORT].

Mr. SHORT. Mr. Chairman, there is absolutely no justification in law, precedent, or morals for the passage of this preposterous proposal. It is truly amazing and shocking to the sensibilities of anyone with a thimbleful of brains that such a perfidious proposition should be brought into a body of free and intelligent men.

What difference does it make to Harry Hopkins, or any other Government official, whether the bathtub in my home or the shower in my home is used exclusively by me or whether it is shared with my friends? These new dealers constructed a dog pound down at Memphis, Tenn., that cost \$50,000, equipped with shower baths, where the rich, aristocratic, southern society ladies could give their little poodles a shower bath. There are a lot of good citizens down in the Ozark Mountains of southern Missouri which I have the honor to represent who do not have shower baths in their homes, but we are not as dirty as some new dealers I know, and we do not stink as much as Harry Hopkins and his crew. [Laughter.]

What difference does it make whether I have a toilet used exclusively by myself, shared with my wife or with my guests, or whether we have a privy, or no toilet or privy at all? Of course, those people are in a bad way. [Laughter.] I do not know just what recommendations the Department of Commerce will make to correct the situation of such unfortunate people, but if this lousy—if you will pardon the Hollywood language—if this lousy measure is enacted into law it will invade the privacy and sanctity of the home. We will have another army of spies and snoopers and investigators and regulators riding over this country telling us how to live our lives and how to run our businesses. This bill is as infamous as the old potato-control law which, fortunately, never went into effect.

I notice down here the last question asked is, "Who holds this first mortgage or land contract?" I will tell you what a lot of my constituents will tell these enumerators when they come and ask that question and other questions in this questionnaire. They will just tell them very plainly and emphatically that it is none of their damned business. They will never answer it, and you will have to build a prison on every 40 acres in some congressional districts of this country, where men still love freedom, if you take care of all the people who refuse to answer such silly, embarrassing, and unwarranted questions.

Now, it might be legal to ask these questions, but certainly it is an infringement upon individual liberty and personal rights. It is contrary to the spirit of the men who wrote the Constitution and of our fathers who later wrote the Bill of Rights. Thomas Jefferson, the founder and patron saint of the Democratic Party, said, "That government is best that governs least." This was also the philosophy of Abraham Lincoln. Both the author of the Declaration of Independence and the Great Emancipator believed in a minimum degree of government and in a maximum degree of individual liberty. [Ap-

plause.] The New Deal believes just the reverse. Under this administration the individual is swallowed by the state.

One of the greatest deterrents to economic recovery in this country, and the thing that has destroyed the confidence of the American people in the integrity of our Government, has been excessive governmental regulation and control from a centralized bureaucracy. The question at issue is whether we are going to follow the American principle, or turn our backs upon Jefferson and Lincoln, whether we are going to follow the teachings of the stalwart fathers of our American system who once believed in our dual form of government and in States rights and in personal liberty, or whether we want to impose upon the American people an overbearing, cumbersome, and tyrannical bureaucracy. That is the only issue before us. I prefer to follow Thomas Jefferson to following Harry Hopkins. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Chairman, shades of Thomas Jefferson, if he should look back and see the gentleman from Missouri [Mr. SHORT] following him, as he says he is doing, Jefferson would know that there was something wrong in this country.

The gentleman from Missouri [Mr. SHORT] and the gentleman from New York [Mr. TABER] amuse me. When they first sprang this proposition I looked into it and found that it was nothing in God's world but a sounding board to attack the administration through Mr. Harry Hopkins, the Secretary of Commerce.

The schedule simply gives us a cross section of the country, not for the personal benefit of Mr. Hopkins but for the benefit of all the American people.

I was on the conference in 1930 when the question arose of taking a census of radios to find how many people in the United States had radios. At that time we did not have the Rural Electrification Administration, and we never would have had it if we had depended upon the gentleman from Missouri [Mr. SHORT] and the Republicans with whom he trains.

Mr. SHORT. Mr. Chairman, will the gentleman kindly yield?

Mr. RANKIN. Yes; I will kindly yield.

Mr. SHORT. The gentleman from Mississippi well knows that the gentleman from Missouri supported his amendment vastly increasing the appropriation for rural electrification.

Mr. RANKIN. Oh, yes; after we had it going and you could not stop it, the gentleman voted right one time. One time he voted right on the power question.

Mr. SHORT. And that is one time more than the gentleman from Mississippi did.

Mr. RANKIN. And I will tell the gentleman what I did. I give the gentleman from Missouri credit for having at one time voted right on the power question, but if it had been left to him and his party, where we have electrified more than a million and a half farm homes, they would have been in a complete black-out tonight today.

There was no harm in finding out the number of radios in the country and there is no harm in getting this information here, but the gentleman from Missouri [Mr. SHORT] rises in his indignation and talks about going into the privacy of the home to get information. Information for what? To find out the living conditions of the American people in order that we may improve them. Yet last week he voted against every effort to take the hands of the selfish interests out of the pockets of the American farmers. He does not care about the tariff barons reaching into their homes and levying a tribute on everything the farmer buys, or that the average householder buys, from the swaddling clothes of infancy to the lining of the coffin in which old age is laid away. He does not mind even going beyond the grave, and levying a tariff on the humble tombstone that marks the last resting place of the vanishing farmers of Missouri and other States; but when it comes to getting the information for the purpose of statistics, or to help improve living conditions, the gentle-

man rises and in a speech—which I hope he will temper down for the sake of decency before he puts it into the RECORD—and uses Mr. Harry Hopkins as a sounding board in order to stir up prejudice against the provision, not in this bill, but in one of the questionnaires sent out to the enumerators and presented to the people of every State, including Missouri.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to a question from the gentleman from Pennsylvania.

Mr. RICH. Did the gentleman vote last week to permit agricultural products to come into this country to take the place of the products of the American farmer? Did the gentleman vote last week to prevent manufactured products coming in here from foreign countries?

Mr. RANKIN. Oh, I decline to yield further.

Mr. RICH. Did the gentleman vote for those things?

Mr. RANKIN. I decline to yield further to this manufacturing magnate from Pennsylvania, who is now manifesting synthetic sympathy for the farmers. He does not care anything about the farmers of Missouri.

Mr. MOTT rose.

Mr. RANKIN. Mr. Chairman, I yield to the gentleman from Oregon to see if he has anything better to offer.

Mr. MOTT. The gentleman recalls that I supported rural electrification.

Mr. RANKIN. I congratulate the gentleman from Oregon. That was the most just vote he has cast since he has been in Congress. The gentleman from Oregon did his people as much good by that vote as the gentleman from Pennsylvania would do them harm.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I decline to yield further.

Mr. MOTT. Whether that was the best vote I ever cast is a matter of opinion, but the gentleman has referred a number of times to Republican opposition to rural-electrification legislation.

Now, this is my question. I want to know if the gentleman knows of any Republicans who opposed that. I did not.

Mr. RANKIN. I will call the roll for you before this Congress is over.

Mr. MOTT. I wish you would. I think the Republicans generally supported that.

Mr. RANKIN. I will say to the gentleman from Oregon that had we waited for the Republicans to create either the T. V. A. or the Rural Electrification Administration this generation of farmers would have died without ever having electric lights in their homes.

Mr. MOTT. I admit that we may not be so hot for the T. V. A., but we did support the rural electrification.

Mr. RANKIN. Oh, the gentleman voted for my amendment for \$100,000,000 for rural electrification, which has lighted hundreds of thousands of farm homes that would otherwise be in darkness now. I give him credit for that. But if we had waited for the Republican administration, such as we had from 1921 to 1933, to create the Rural Electrification Administration to take electricity to the millions of farms in this country, this generation of farmers would have died and their children probably would have died without ever having seen electricity in their homes.

Mr. MOTT. But the gentleman is in error when he says the Republicans generally opposed it.

Mr. RANKIN. I did not say that. I said you did not create it, but I will show that a majority of the Republicans now in the House have never voted for rural electrification on a roll call.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. DINGELL. And I assume in many instances that these votes were cast right because you agreed to give them a Grand Coulee in their back yard.

Mr. MOTT. Let me inform the gentleman from Michigan that Grand Coulee is not in my back yard nor in the back yard of any Member from the State of Oregon.

Mr. RANKIN. Oh, I am not accusing the gentleman from Oregon of voting for it on that ground. I take it he voted for it conscientiously. You have a semblance of righteousness over on that side once in a while; that is, some of you. It never does take in the whole party at once, however.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I thought the gentleman was going to speak on Wednesday.

Mr. RICH. I am; but I want to ask you a question. Do you know that all the things you are doing and have done in this administration, every dollar of it is yet to be paid for by these children you are lauding so much; and how are they going to get the money to pay for them, when you borrow the money from them and expect them to pay the bill? How are they going to do it? They will not laud you for burdening them so terribly heavy in financial debt; I am afraid an unbearable debt.

Mr. RANKIN. Why, that is the easiest question to answer that the gentleman has ever asked. I will tell you how.

The people of Pennsylvania are overcharged \$76,000,000 for electricity now, and the gentleman's district is one of the worst overcharged in the State. By getting electricity to these people at what it is worth, the difference between what they would have paid under the old system and what they are paying now will pay for every dollar that is invested in these rural power lines. The T. V. A. is paying for itself every year. Already it has reduced rates \$583,000,000 a year throughout the country. Every one of you is getting the benefit of it and the people are for it.

You have taken hold of a live wire and we are not going to let you turn it loose. You have to blindfold the Republican elephant now to get him near an electric light. When you go out against this program, you seal the doom of every man who goes to the people and talks that language, especially with the farmers who are crying out for rural electrification.

Now, Mr. Chairman, this attack on the Census Bureau is nothing in the world but camouflage. I looked into this question and I made a statement on the floor when it first came up. This is nothing in God's world but an attempt to muddy the water—to stir up prejudice against the Census Bureau, which is doing one of the greatest works of any bureau of the Government—compiling statistics that will be of benefit to the American people for years to come.

I do not blame you Republicans for not wanting your people to know how many of the ones you represent do not have electricity or refrigerators or electric irons in their homes. In the average State the saturation for electric refrigerators is 48 percent. In my town of Tupelo, Miss., it is 90 percent. I do not blame you; this information would embarrass you greatly if it informed your people how deficient they are in the use of these and other appliances that go to make home life more pleasant and more attractive.

I do not blame you for not wanting every merchant in your town to know how he is being robbed with exorbitant light and power rates and denied the use of those appliances that would add to the efficiency and the profits of his business. I do not blame you for not wanting your manufacturers to know of the millions of dollars of overcharges they are paying for electricity. The truth may stir riots in your districts.

No wonder you are fighting this provision to keep the American people from getting the truth, and the whole truth. It is to your interests, politically, to keep them in the dark. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Maine [Mr. BREWSTER].

NEW ENGLAND OBJECTS

Mr. BREWSTER. Mr. Chairman, I did not hear that the immediate question of the census was particularly discussed by the gentleman who immediately preceded me. I think we feel perhaps more strongly in New England on this matter than almost anywhere else. Although I will not say that in other sections they do not have equal pride of their personal privileges and prerogatives. At any rate, I

know that in New England the inquisitorial character of this new census is bitterly resented. It is unfortunate in this period when we have so many pressing problems this should be added. I take it the vote upon this issue will be rather symbolic of the sentiment regarding certain other questions in this census which are not immediately involved but are collaterally related—questions regarding income and other things in this inquisition regarding the personal affairs of so many of our people.

SELF-RESPECT

In our section in spite of the tragic difficulties of recent years there is still pride in their traditional independence. No matter how bitterly they may have suffered from the depression they keep up at least some semblance of their ancient self-respect. And now to be compelled to answer these questions to men who are not always the most responsible in the community seems to me extremely unfortunate.

ECONOMY

But above and beyond that personal aspect which I think is typical of the old spirit of New England, of the Declaration of Independence, and of the fight that was then made for personal liberty, is the economy phase. As I understand from the testimony of the Bureau before the committee this will add 40 to 75 percent to the cost of taking the census. I do not believe that any result which can possibly be achieved—the information that it will add to that which is already available—can possibly justify this tremendous additional expense in this period when we are all seeking to hold down as well as we can the expenditures of the Government.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. BREWSTER. I yield.

SAVE \$8,000,000

Mr. SHORT. And to get this additional information at this time will cost an extra \$8,000,000 at a time when we are spending \$2 for every \$1 we take in. This is no time to do it.

Mr. BREWSTER. This issue may serve as an excellent test of the real devotion of Congress not only to the spirit of economy but also to the American tradition of individual liberty and privacy. I hope the same spirit still burns in other sections that flamed when the South rallied to our assistance at Bunker Hill. I hope you will join with us in resisting this new excursion into a more highly centralized society. Let us have some semblance of privacy somewhere in the affairs of the people of the United States.

Mr. RANKIN. Did the gentleman from Maine hear the gentleman from South Carolina read the schedule that the Republicans put into the census in the year 1910 under the guise of seeking necessary information but going a great deal further into the privacy of the individual than the present proposed questions do? Evidently the gentleman is not familiar with the record of his own party.

Mr. BREWSTER. The questions then were not under the compulsion of the census. But does the gentleman from Mississippi consider that we are bound by any errors of our ancestors? I do not understand that the gentleman from Mississippi considers himself bound by the opinions even of his current colleagues.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. BREWSTER. I yield.

Mr. DONDERO. Did the gentleman from North Carolina tell us that that was an investigation, not a census which was taken under compulsion of fine or imprisonment for failure to answer the questions?

Mr. BREWSTER. I thank the gentleman for his contribution. I take this time simply to record what I believe to be the overwhelming sentiment of New England—that cradle where so many of our liberties were born—against this further excursion toward a totalitarian state.

CENSUS INQUISITION

New England, in my judgment, is militantly opposed to using the census to probe into the most personal and private

affairs of individuals and into the conditions under which they live.

Many of these questions seem characteristic of a totalitarian state—not of a free America.

An irresponsible inquisitor could wreak irreparable injury. Many matters not even known to close relatives and friends must be disclosed to a politically selected neighbor who may not always be worthy of the confidence imposed by a far-removed administrator.

An increased distrust of Government must inevitably result in this period when it is of supreme importance by every legitimate means to build among men of good will confidence in the democratic process.

Repeatedly confidential material has been publicly exposed in response to some alleged public interest. A New England Yankee does not like to be a goldfish.

Many a rebel against Government will be made by this unwarranted inquisition at a time when confidence and loyalty are preeminently required if democracy is to survive.

This year also is not the time to increase the cost of the census by 75 percent. After a century and a half without this information this is no time to nearly double the cost of the census in order to disgust people with their Government.

Five million dollars can here easily be saved and the people of New England and I believe the country will almost universally applaud. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield the balance of my time to the gentleman from Pennsylvania [Mr. DITTER].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 6 minutes.

Mr. DITTER. Mr. Chairman, the discussion this afternoon has been the most encouraging discussion I believe that we have had on this side of the aisle for many days. It constitutes the first admission I have heard for a long time from the leaders of the New Deal that thus far they have failed to secure the information they promised to secure 8 years ago.

As I listened to my distinguished friend from Mississippi, for whom I have a very high regard, and to my friend from Washington, I could reach no other conclusion than that for 8 years they have been groping in the dark.

Mr. RANKIN. Mr. Chairman, if the gentleman will yield, this is the first census we have taken since this administration came into power.

Mr. DITTER. They have been groping in the dark as to where the need is in America. Now they come and say they know only one thing, that there is a need and they want the means provided by the Federal Government to ascertain where the need is. This, it seems to me, is a most deplorable situation, to feel that after all the money that has been spent by this outfit during the last 8 years they are unacquainted entirely with where the real need is and that as the curtain comes down on the New Deal regime now they say, "We want to know where the people are who are in need."

I recall that some years ago the declaration was made that one-third of the people were ill-clad, ill-housed, and ill-fed. Now my distinguished friend from Mississippi defies us and says that he does not wonder that we want to withhold from the people whether they have refrigerators or not. I answer the gentleman by saying that I am more concerned about getting refrigerators into those homes than I am with these experimental efforts he is advocating to ascertain whether they have refrigerators. Instead of so many of these social uplifters, instead of so many of these social experiments, why not get to work and find out how many of our people who really want refrigerators have the chance to earn the dollar with which to buy the refrigerators?

That is what we need. [Applause.] I say to my friend, who delights in taunting Pennsylvania, who delights in taunting my colleague from Pennsylvania for being a manufacturer's representative, that the State of Pennsylvania has in no small measure provided the nucleus financially by which the State of Mississippi has benefited from those things which it presently enjoys. So instead of charging the State of Pennsylvania because it has power interests,

because of the fact it has some financial stability, because of the fact it has the self-reliance to stand on its own strength rather than depend upon the paternalism and the bounties and the goodness of other States, I say to the gentleman from Mississippi that he might well go back to Mississippi and try to stir the State of Mississippi with that forensic ability he has that they go to work and get jobs, that they go to work and provide for themselves these refrigerators and electrification. The State of Pennsylvania is willing to stand on the record it has established and on the contribution it has made, not only for its own people but for the people of the State of Mississippi who today benefit by the self reliance, the frugality, the individualism, the industry, the initiative, and those things that go to make up a real worth-while spirit of Americanism.

Mr. RANKIN. Will the gentleman yield?

Mr. DITTER. I referred to the gentleman, and I certainly yield to him.

Mr. RANKIN. The truth about the matter is this: The reason the people of Pennsylvania cannot use refrigerators is because the Power Trust robs them by charging such exorbitant rates for electricity that they cannot afford to use them.

Mr. DITTER. Now, I did not yield to the gentleman for a speech. May I answer the gentleman that in my opinion the gentleman has one obsession and we have heard that obsession of his about the Power Trust for a long time. We have heard the charges he has made against every State that has the spirit of free enterprise, which is still worth while. May I invite the gentleman to come into the State of Pennsylvania, and may I invite him particularly to come into my district, and I say to him that we are prouder by far of the spirit of free enterprise that has been at the foundation of our own effort in Pennsylvania; we are prouder by far of that spirit than the spirit which the gentleman continually feels is the only thing upon which he can claim the right to demand the attention of the House.

Pennsylvania has carried its share of the paternalism of the New Deal. It compares favorably with the contribution coming from the State of Mississippi. Pennsylvania, with a farm valuation—land and buildings of \$925,476,000—received benefit payments of only \$16,629,186. In other words the farmers of Pennsylvania received an amount of benefit payments equal to about only 1.68 percent of their land value. Now let us look at Mississippi. That State with a farm valuation of \$436,151,000 received agricultural-adjustment benefits of \$104,011,811, that is, the farmers of Mississippi received in benefit payments an amount equal to about 23 percent of the total value of their farms.

Again may I point out that Farm Credit Administration loans outstanding in Mississippi as of December 31, 1939, amounted to \$44,452,589. This represents more than 10 percent of the farm-land valuation of that State. The figures in Pennsylvania are favorable by contrast. As of the same date the outstanding loans in Pennsylvania amounted to \$30,593,000, which is only 3.3 percent in round figures of her total valuation of farms. Further comparisons might be made. The total internal-revenue collections per capita and the total grants and expenditures in the States give further evidence that Pennsylvania compares favorably with Mississippi in its contribution to and its assumption of the welfare of the Nation as a whole. The internal-revenue collections in Mississippi, per capita, for the year ending June 30, 1939, were \$3.04; Pennsylvania's were \$43.11. In that same period Mississippi revenue collections paid to the Federal Government amounted to \$6,152,000 while the grants and expenditures to Mississippi were \$84,745,000, a nice tidy profit for Mississippi. Let us look at Pennsylvania during that period. Pennsylvania provided \$438,672,000 in revenue collections, and received in bounties from the Federal paternalism only \$289,351,000, not a profit, but a deficit. Pennsylvania can carry its head high as figures rather than fancy is the measure of comparison with Mississippi.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield myself the remainder of the time on this side.

Mr. RANKIN. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Mississippi.

Mr. RANKIN. The gentleman from Pennsylvania [Mr. DITTER] jumped on the Southern States about the expenditures for W. P. A., but he overlooked the fact that in the last year there was \$214,000,000 spent in Pennsylvania and only \$211,000,000 in all the Southern States. In Pennsylvania that was under a Republican administration and in a State in which they have about the highest electric light and power rates in the Union, and about the fewest refrigerators per capita.

Mr. DITTER. Will the gentleman yield?

Mr. WOODRUM of Virginia. Briefly.

Mr. DITTER. Mr. Chairman, if the gentleman from Mississippi will examine into the entire record of the State of Mississippi and compare it with the record of Pennsylvania, I think he will blush in shame at the comparison between the two States.

Mr. RANKIN. When I realize how my Government has permitted the tariff barons of the State of Pennsylvania to rob the farmers of other States, through high protective tariffs, I do blush in shame. [Applause.]

Mr. WOODRUM of Virginia. Mr. Chairman, what promised to be a rather routine and dull afternoon has turned out to be somewhat enlivened, and I hope it will afford some enjoyment to the galleries and perhaps enlightenment to those who would like to have some intelligent information on this item.

The question whether or not there should be a housing census and when it should have been taken is a matter about which there might be an honest difference of opinion. There may be a good deal of merit in the statement made by the gentleman from Pennsylvania that the housing census would have helped more if we had taken it before making all of these large expenditures; but let me call your attention to the fact that in the time of emergency, when the Home Owners' Loan Corporation was set up, when the slum-clearance projects were being set up, when the Federal Housing Administration was being set up, the Congress almost unanimously voted to support programs of that kind, because it felt there was an emergency. I know of a great many people who are still being called upon to appropriate large sums of money for further programs of this kind. It seems there should be some real authentic information given as to just what the situation is with reference to housing in this country. So far as I am concerned, I think this housing census should be taken as a part of the population census and if it is we will save a lot of money. The Congress voted to have the housing census taken, and as late as February 8 in this very Chamber, on a direct motion offered by the gentleman from New York [Mr. TABER] to take the housing money out of the Commerce bill to prevent any funds being used for that purpose, 134 Members voted to take the money out and prevent the housing census and 211 voted to continue with the housing census. Therefore there is nothing left, as the matter stands. The Congress has definitely decided there shall be a housing census and that it shall be taken now. The Appropriations Committee, under these circumstances, brings in the amount of money which Congress has authorized.

I want to keep the record a little bit straight when some of my friends on the minority side wax eloquent in their defense of the sanctities of the American home and the liberty of American citizens, and inveigh against these inquisitors knocking at the door, asking embarrassing questions. You would think this is the first time there had been an inquiry of that kind in the United States, but this is not the first time that has happened. Of course, the American home should be protected. No one will argue on that score.

No questions of a personal nature should be asked, nor embarrassing questions. But let us look at the record for a moment, just in order that the idea may not go out to the country that the terrible party in power is the first one that ever rang the doorbell of an American home and asked a personal question of the landlord.

In 1907 under the administration of Mr. Theodore Roosevelt, with a Republican Congress, it became advisable to find out something about the conditions of the women and children in industry, and the Congress passed an act stating:

That the Secretary of Commerce and Labor be, and he is hereby, authorized and directed to investigate and report on the industrial, social, moral, educational, and physical condition of woman and child workers in the United States wherever employed, with special reference to their age, hours of labor, term of employment, health, illiteracy, sanitary, and other conditions surrounding their occupation, and the means employed for the protection of their health, persons, and morals.

A very laudable, a very worthy, and a very justifiable inquiry.

The President and the Congress wanted authentic information on the subject in order to know whether or not it would be in order or proper to have remedial legislation, and if so, what kind of legislation it should be. They went ahead with that investigation and the Commissioner of Labor went out and had his questionnaires distributed. They were brought back and filed with the Congress in 1911 under the administration of President Taft and a Republican Congress. The volume may be obtained in the Library. It is entitled "Report of the Commissioner of Labor, 1910, on the Condition of Woman and Child Wage Earners in the United States," volume XVI, and so forth.

I want to read you several of the schedules—and these are not just questions that they proposed to ask, because in this instance they brought the schedules back and published them in the records. These are not only questions they proposed to ask, but here are the answers as well as the questions.

Mr. Chairman, I am not criticizing what was done by the Republican Congress and the Republican President. Indeed, I believe it was justifiable and worthy. They wanted to know the condition of these people who were asking for help. Every day they were knocking on the doors of this Congress asking for large public-building programs, for slum clearing and housing, and for this, that, and the other. I, for one, would like to have some authentic information on the subject, and that is what they wanted in those days. What did they ask the people?

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes; briefly.

Mr. HOOK. Can the gentleman explain to us whether or not he has any information with regard to the use to which the information obtained at that time was put?

Mr. WOODRUM of Virginia. It was filed in the archives of the Government, as far as I know. I do not know.

Mr. KITCHENS. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Arkansas.

Mr. KITCHENS. Does not the gentleman realize that certain elements of the Republican Party are trying to reform the party today to get away from some of the things that took place in former years?

Mr. WOODRUM of Virginia. I do not want to get into the partisan side of this question. I want to show, if I can, that this is not any outrageous, unheard-of inquiry that is proposed. In this schedule they asked each one of these workers what their income was, what they did with the money, what it bought, what kind of food they had, what they had for their meals, and so forth. They asked about the menu of the family, and this is what family No. 3 told the inquirer they had for breakfast: Beef hash, biscuit, sirup and butter, coffee and Postum, sugar and milk. For dinner they had beef hash, biscuit, and corn bread. For supper they had warmed-over beef hash, biscuit, corn bread, and butter-milk.

So it goes on page after page.

I want to say to my distinguished friend from New York, who is so much concerned about the liberties of the country and the sanctity of the home, that they asked the ladies a few questions. They asked the housewife of family No. 3 about the clothing of the family, and these answers refer to a daughter, age 12.

They asked her how many coats she had, and she said she had one coat, cloth, value \$3. "How many dresses?" Five dresses, gingham, value \$3.10. Two dresses, \$2.10. One dress, \$2.75. Four petticoats, cotton, \$1.84. Four drawers, cotton, 28 cents. I am told by some of my older colleagues that that used to be an article of wearing apparel of the gentler sex. [Laughter.] Three winter underwear, cotton flannel, 90 cents. Two nightgowns, cotton, 70 cents. One hat, felt, \$1.50. One hat, straw, \$1. Twenty stockings, \$2. Four shoes, \$6. Total, \$25.17 worth of clothing that girl had.

They ask in here what kind of toilet conditions existed in their homes and in the places they worked.

Mr. MARSHALL. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Ohio.

Mr. MARSHALL. Was that in a census inquiry?

Mr. WOODRUM of Virginia. No; this was a special inquiry.

Mr. MARSHALL. Was anyone required to go to jail if he refused to answer those questions?

Mr. WOODRUM of Virginia. Well, as far as going to jail was concerned, nobody has ever gone to jail.

Mr. MARSHALL. Was it compulsory that those answers be made?

Mr. WOODRUM of Virginia. If it is merely a question of whether you go to jail or not, it would be very easy to write in this bill a provision, if Congress wished to do so, that a jail sentence should not be imposed. But that is not the question that has been raised here.

Mr. MARSHALL. This was not a census inquiry at all, it was a survey?

Mr. WOODRUM of Virginia. It was a special inquiry.

Mr. MARSHALL. It was only a survey, that is all it was?

Mr. WOODRUM of Virginia. Yes.

Mr. MARSHALL. Anybody could answer if he wanted to. They did not ask everybody in the United States these questions, either.

Mr. WOODRUM of Virginia. You can name it just what you please to name it.

Mr. MARSHALL. They did not ask everybody in the United States those questions.

Mr. WOODRUM of Virginia. No; not everybody in the United States.

Mr. MARSHALL. It was just a cross-section inquiry.

Mr. WOODRUM of Virginia. Yes.

Mr. O'NEAL. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Kentucky.

Mr. O'NEAL. I would like to ask the gentleman if these questions are any more personal than the investigation or the questions that are asked before W. P. A. assistance is given, before N. Y. A. assistance is given, or before the United States Housing Authority will start erecting buildings in the cities, or before the Federal Land Bank will lend money to the farmers, or before the Home Owners' Loan Corporation will lend money in the cities.

Mr. WOODRUM of Virginia. Of course not. It is the same type of inquiry that Congress has laid down many times when it wanted special information and the only way to get it was to ask questions about it.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Pennsylvania.

Mr. DITTER. Do I understand the gentleman is willing to have an amendment written into this bill whereby all penalty provisions, both as to imprisonment and fine, shall be lifted and leave it entirely to the discretion of the American people as to whether these questions shall be answered or not?

Mr. WOODRUM of Virginia. The distinguished gentleman from Pennsylvania is a distinguished member of the Appropriations Committee and also a member of the committee that handled this appropriation bill, just as the gentleman

from Virginia is, and the gentleman from Virginia thinks that an amendment of that kind should be considered in the subcommittee and in the full committee before being brought to the floor of the House. The gentleman from Pennsylvania is a Member of the House and can offer such an amendment, if he wishes to do so, and does not have to get permission from the gentleman from Virginia or anybody else.

Mr. DITTER. I appreciate that gracious compliment from the gentleman, but on the other hand I know the gentleman is intelligent enough and alert enough and that he follows the temper of the House wisely, and if such an amendment from the floor were required, he would be the one who would sponsor it, and since he is the chairman I wonder if the committee can depend upon his support for such an amendment.

Mr. WOODRUM of Virginia. The gentleman does not usually depend upon the gentleman from Virginia when he wants things done. The gentleman is quite capable of doing them himself.

Mr. O'NEAL. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Kentucky.

Mr. O'NEAL. I would just like to state that when the legislative bill authorizing the housing census was passed—without objection, so far as I know, from anyone—section 2 was included, which states:

All of the provisions, including penalties, of the act providing for the fifteenth and subsequent decennial censuses, approved June 18, 1929, shall apply to the taking of the census provided for in section 1 of this act.

If they do not want such a census taken, they should repeal that portion of the legislative act dealing with a housing census.

Mr. WOODRUM of Virginia. Yes.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes.

Mr. POAGE. It has been suggested here that in the special inquiry the questions the gentleman has referred to as having been put out in 1908 were not asked of everyone in the United States. As a matter of fact, they were questions propounded under the authority of a Republican administration to States where it was certain that the Democrats were in a majority, were they not?

Mr. WOODRUM of Virginia. They were questions directed to the workers in Southern States.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman.

Mr. REED of New York. If the parliamentary situation is such that we could remove the penalties and leave it to the discretion of the people, then you would have a housing survey, and I am just wondering if that could not be done. I would like to have the gentleman understand this: I am absolutely sincere, and I know that the others are. I just do not want the Congress to be charged with any such inquisitorial program to which these penalties are attached. If we could eliminate that, I am not so sure but what the reaction would be that the survey would be far more valuable than it is going to be if we press the bill as it is now. I have some respect for this Congress, I will say to the gentleman from Virginia, and I cherish its good name, and I want the public to have confidence in it. I believe we are destroying such confidence by pressing this matter, because the people are certainly aroused over it.

Mr. WOODRUM of Virginia. I appreciate the gentleman's observation. The gentleman knows I am just one member of the Appropriations Committee and not a member of the legislative committee that handled the original bill. The matter has been up here time and again, and the Congress has expressed itself upon it a number of times.

Mr. REED of New York. If the gentleman will yield for one more observation, I will be glad to offer such an amendment, but I have not the ingenuity to frame one that would not be subject to a point of order. Perhaps someone else could do it.

Mr. WOODRUM of Virginia. I cannot think of anybody who could frame a legislative provision for an appropriation bill that would not be subject to a point of order.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from South Carolina.

Mr. HARE. Apropos of the suggestion of the gentleman from Texas [Mr. POAGE] with reference to the special investigation referred to by the gentleman, this investigation was not confined to any particular section, but was carried on in every State of the Union and applied to the entire United States, but they were separated by divisions. I understand further that the law that enabled the enumerators to obtain this information from the individuals or from an industry is no different in principle from the law involved in this particular case, because if the Government has the right to go out and inquire of 100 citizens as to income and living conditions, it has the right to inquire of 1,000 or 10,000 citizens.

Mr. THOMAS F. FORD. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from California.

Mr. THOMAS F. FORD. I just want to ask the chairman of the subcommittee if it does not seem strange that the minority should suddenly develop a conscience about penalties on census matters? I suppose it is because there is another party in power. Is not that the reason?

Mr. WOODRUM of Virginia. Mr. Chairman, I yield back the balance of my time and ask that the bill be read for amendment.

The Clerk read as follows:

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

Control of incipient and emergency outbreaks of insect pests and plant diseases: To enable the Secretary of Agriculture to carry out the provisions of and for expenditures authorized by the joint resolution approved May 9, 1938 (52 Stat. 344), fiscal year 1940, \$2,000,000, to remain available until June 30, 1941.

Mr. O'CONNOR. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR: Page 9, line 6, strike out "\$2,000,000" and insert "\$3,000,000."

Mr. O'CONNOR. Mr. Chairman, my proposed amendment is the amount that the Bureau of the Budget had determined necessary to take care of the grasshoppers, Mormon crickets, insects, and other pests that destroy crops. I have in my hand a map which shows the various States that are concerned in this amendment. It will be noticed they are Montana, Wyoming, Nevada, Utah, Idaho, Oregon, Washington, North and South Dakota, Nebraska, Kansas, northern Texas, Minnesota, Wisconsin. All of those States are concerned with this subject. Of the \$4,000,000 that are cut off in this bill from the Budget estimates, \$1,000,000 is taken from this item. It seems to me that this is a poor policy and a poor place to economize. It might be that by expending a little more money several million dollars in crops would be saved and several thousand people as a result would be kept from going on relief. This Bureau may be trusted with funds. It has on hand now, according to the chairman of this committee, something like \$400,000. That shows that no money is spent that is not necessary. The grasshoppers may suddenly come. Then it takes action to take care of them. Congress may not be in session at such time, or if it is in session it would take time to get through an emergency bill. It is safe to have this sum of money placed in the hands of this Bureau in the event it is necessary to use it. I have a chart here in my hand which shows the results of the control that has been operated by the Bureau of Entomology beginning: The percentage of saving in potential loss was 25 percent in 1933; in 1935 the control increased the percentage of saving from potential loss to 60 percent; in 1938 it was increased to 67 percent by control; and in 1939 it was increased to 72 percent. I received the following telegram from the county commissioners in Fort Benton, Mont.:

Hon. J. F. O'CONNOR,

Washington, D. C.:

County Commissioners and Planning Committee of Liberty, Hill, Blaine, Phillips, Chouteau, Fergus, Pondera, and Cascade Counties, in meeting at Fort Benton today, realizing the seriousness of the grasshopper situation in our counties and inability as communities or counties to meet the situation, do ask your support in directing the Federal Government to aid in the expense of bait-material purchases, and putting all the idle and Government-owned lands in assistance to farmers cooperating in the campaign. We thank you for your past assistance in this connection, but must have this additional help.

M. G. THORPE,

Chairman, Planning Committee.

Bear in mind this: Of every State infested with these grasshoppers, a large portion is owned by the Federal Government. As I told the Committee this morning, one-third of my own State is owned by the United States Government, and it is up to the United States Government to take care of the grasshopper situation on these lands, because the farmers cannot do it. The grasshoppers may be propagated on the Government land and get over onto the privately owned land.

The following letter from the Bureau of Entomology from Bozeman, Mont., is pertinent:

Hon. JAMES F. O'CONNOR,

House of Representatives, Washington, D. C.

DEAR MR. O'CONNOR: I believe you will be interested in the insect-control situation in our State as it stands now. You will recall that in 1938 we received an immense population of grasshoppers from the Dakotas, which migration laid eggs that fall in east-central Montana. The hoppers hatched out in excessive numbers in that area, and one of the most intensive campaigns in many years reduced the intensity of the flights which occurred. The flights were toward the north and west mainly, and large numbers of eggs were laid by these migrating grasshoppers in Liberty, Hill, Blaine, Phillips, Fergus, Chouteau, eastern Teton, and Pondera counties. In some places the condition will be extremely critical in these counties next year, provided, of course, that natural conditions do not destroy the most of them. The large area in Eastern Montana which was so badly infected this spring will have very few grasshoppers in it.

It is our feeling that it is unfortunate to have to request each year Federal assistance in the control of insects with highly migratory tendencies, and which may involve several States. It would be much easier to plan control work, and I am sure that it would be much less worry to you, if this fund could be put on a permanent basis. I do not know how this could be done, but I believe that you will agree with me as to its advisability.

I wish to thank you for your sincere interest and fine cooperation in matters of insect control.

Very truly yours,

HARLOW B. MILLS,
State Entomologist.

The CHAIRMAN. The time of the gentleman from Montana has expired.

Mr. O'CONNOR. Mr. Chairman, I sincerely hope the amendment will be agreed to. [Applause.]

Mr. WOODRUM of Virginia. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in 2 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WOODRUM of Virginia. Mr. Chairman, the Bureau of the Budget sent an estimate for \$3,000,000 for this item for the next fiscal year. The committee went into the matter carefully. We found they have on hand \$400,000 unexpended, a carry-over from last year. With the amount granted by the committee that will give them \$2,400,000 for the next year. All of the evidence showed that there was no reason to expect the infestation to be nearly so bad this year as in former years, due to the very severe cold winter weather obtaining in that part of the country. All of the experts say that cold weather has the effect of decreasing the propagation of these insects. We feel sure that this amount will be ample to take care of this item. I hope the amendment will not be agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Montana.

The amendment was rejected.

The Clerk read as follows:

For an additional amount to enable the Secretary of Agriculture to carry into effect the provisions of sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, approved Febru-

ary 29, 1936 (16 U. S. C. 590g-590q), and the provisions of the Agricultural Adjustment Act of 1938 (52 Stat. 31-70) (except the making of payments pursuant to sections 303 and 381 and the provisions of titles IV and V), fiscal year 1940, including the same purposes and under the same limitations specified under this head in the Department of Agriculture Appropriation Act, 1940, \$60,000,000.

Mr. LAMBERTSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to speak regarding the \$60,000,000 that is not in the printed bill, but is in this section dealing with agriculture, making it available for the overpayments on soil conservation.

They say they have a Budget estimate. I raise the question of whether the President, in the Caribbean Sea, by radio, can wire this House, and make that a Budget estimate. I am not opposed to this appropriation, but we have been very punctilious about what constitutes a Budget estimate. The Budget law says it shall be with his signature and accompanied by reasons. We have before insisted on the John Hancock paper as provided by law. The President is not where he can function as President of the United States, and we do not have a legal Budget estimate.

What I want to emphasize is this: That this \$60,000,000 that they are going to give to make up for overpayments for soil conservation, or because they have more compliance than they figured, is to be taken out of the \$500,000,000 for next year's appropriation. This is to pay the 1939 compliance. They have to reduce the percentage to the complier for next year in borrowing this from the next year's appropriation. The Secretary admitted that. The point is we are going to push this up and treat them all alike now. They could all be paid without any action here, in July or August.

Now, the point is we are trying to please the farmers now. We do not care if he takes a reduced ratio next year, after election, but we are very anxious that all compliers be paid in full now, this year. They are admitting, if they take it out of the proposed \$500,000,000, for next year, that they will all have to take a reduced ratio to stay within the \$440,000,000 next year. I am just giving this to you for what it is worth. I think we ought to reduce the size of the payments some way. If the Senate would limit all payments to \$400 to any individual there would not have to be any reduction in the ratio. Ninety-three percent of the compliers in 1939 got less than \$200 each. We ought to take it off of the big payees.

Mr. REES of Kansas. Will the gentleman yield?

Mr. LAMBERTSON. I yield.

Mr. REES of Kansas. Is it not a fact that we pay off half of our farmers with less than \$50,000,000 which is the amount to be paid for administering this \$500,000,000 item?

Mr. LAMBERTSON. Yes.

Mr. REES of Kansas. In other words, we pay for administering to the farmers as much money as we pay one-half of our farmers?

Mr. LAMBERTSON. I think you are right. Ninety-three percent of the farmers get less than \$200 each out of this \$500,000,000 appropriation. You see what a small percentage would be affected by limiting the payments to three or four hundred dollars.

I just want to call your attention to how anxious they are to see that everybody is pleased now rather than next year, when they admit they are willing to reduce their percentage.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I rise in opposition to the pro forma amendment for the purpose of calling attention to certain parts of the hearings and for the purpose of asking the chairman of the Subcommittee on Appropriations for the Department of Agriculture a question.

On page 307 of the hearings I read as follows:

Mr. CANNON. If we agree to this, the Senate will take it out; but, as the Secretary says, all they are asking is that the money be made available sooner, and then the Senate, instead of appropriating \$500,000,000, will only appropriate \$440,000,000.

Mr. WOODRUM of Virginia. Will they take out the \$60,000,000?

Mr. CANNON. They say they will. We would want definite assurance of that. Would we have that assurance from you, Mr. Secretary, that you would expect the amount to be reduced from \$500,000,000 to \$440,000,000?

Secretary WALLACE. Yes.

Now, I would like to ask the chairman of the Department of Agriculture subcommittee if he has assurance from members of the Senate Appropriations Committee that this \$60,000,000 will be taken out of the pending agricultural appropriation bill for 1941?

Mr. CANNON of Missouri. Mr. Chairman, in response to the inquiry of the gentleman from New York [Mr. TABER], there is no purpose to increase the appropriation for the pending year. It is merely intended to make the money available for emergency purposes and to reduce by the same amount the appropriation for this purpose carried in the agricultural appropriation bill which has already gone to the Senate. It is necessary to have the money in time for the farmer to make his plans and crop adjustments for the year and in time for the county committees to meet and make their allotments.

This action is necessary because of the unexpected compliance on the part of the farmers with the farm program—a rather significant situation. The farm program has met such general favor throughout the country that the surplus which has always remained heretofore at the end of the fiscal year has been exhausted, and additional funds must be provided to carry on the program.

So far as assurance of the reduction in the \$500,000,000 carried in the agricultural appropriation bill is concerned, representatives of the Committee on Agriculture and the Subcommittee on Agriculture of the Committee on Appropriations met with representatives of similar committees of the Senate, and it was agreed that if this amount was provided now in the deficiency bill a similar amount would be taken out of the agricultural bill in the Senate.

The Budget estimate is as follows:

FEBRUARY 25, 1940.

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES,

SIR: I have the honor to transmit herewith for the consideration of Congress a supplemental estimate of appropriation for conservation and use of agricultural land resources, Department of Agriculture, fiscal year 1940, in the sum of \$60,000,000, with my recommendation that a fully offsetting decrease be made in the estimate submitted under this head in the Budget for the fiscal year 1941.

The details of this supplemental estimate of appropriation, the necessity therefor, and the reasons for its transmission at this time, as well as the basis of the offsetting reduction in the 1941 estimate under this head, are set forth in the letter of the Director of the Bureau of the Budget, transmitted herewith, with whose comments and observations I concur.

Respectfully,

FRANKLIN D. ROOSEVELT.

FEBRUARY 20, 1940.

SIR: I have the honor to submit herewith for your consideration a supplemental estimate of appropriation for the Department of Agriculture, fiscal year 1940, for conservation and use of agricultural land resources, with proposed fully offsetting reduction in the estimate submitted under this head in the Budget for the fiscal year 1941, as follows:

DEPARTMENT OF AGRICULTURE

Conservation and use of agricultural land resources, Department of Agriculture—

For an additional amount to enable the Secretary of Agriculture to carry into effect the provisions of sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, approved Feb. 29, 1936, as amended (16 U. S. C. 590g-590q) and the provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1281-1407) (except the making of payments pursuant to sections 303 and 381 and the provisions of titles IV and V), fiscal year 1940, including the same purposes and objects, and under the same limitations specified under this head in the Department of Agriculture Appropriation Act, 1940 (53 Stat. 973-974) ----- \$60,000,000

In the event the supplemental 1940 appropriation proposed in the foregoing is made available, the estimate under this head in the Budget for the fiscal year 1941 (p. 372), should be amended to substitute for the figures "\$498,560,000," the figures "\$438,560,000," and further amended by omitting from the language of the estimate the second proviso which reads:

"Provided further, That \$30,000,000 of this appropriation shall be immediately available to reimburse the appropriation under this

head for 1940 on account of obligations created against said appropriation in connection with the 1940 grants-of-aid program, advances for the 1940 crop-insurance program, and county association expenses for the 1940 agricultural-conservation program."

It is found that of the funds made available in the 1940 appropriation under this head, approximately \$36,000,000 must be expended for the 1940 grants-of-aid program, advances for the 1940 crop-insurance program, and county association activities in connection with the 1940 agricultural-conservation program, and that \$24,000,000 in addition to the above amount will be required to complete all payments due to farmers for compliance with the 1939 agricultural-conservation program.

In order that farmers may have a basis for deciding whether to participate in the agricultural-conservation program, the rates of payment are announced before the beginning of each calendar year. Approximately 5,800,000 farmers participated in the 1939 program, a number greatly beyond Department anticipations. The Agricultural Adjustment Act of 1938 also included provision for upward adjustment of payments under \$200. No accurate information as to the amount required to make these adjustments was available until late in 1939, and it is now determined that needs on this account materially exceed the Department's advance estimates. Rate reductions ordered in August 1939 when the foregoing factors began to be apparent have proved inadequate.

The supplemental estimate herein is designed to provide without delay the additional funds necessary to meet 1939 program commitments. It is recommended for approval only with the understanding that the rates of payment in connection with the 1940 program will be so adjusted by administrative action under the authority of existing law as to insure the completion of this year's program with the \$36,000,000 contemplated by the supplemental estimate herein plus the reduced 1941 Budget estimate of \$438,560,000.

It is pointed out that the necessity for using \$30,000,000 to \$40,000,000 of the funds appropriated each year for grants of aid, advances for crop insurance, and county-association expenses, all in connection with the program of the next ensuing crop year is annually recurrent. This situation could be met at the cost of some delay in final payments each year by including in the language of each annual appropriation act a proviso similar to the "second proviso" recommended herein for elimination from the estimate for the fiscal year 1941. To keep the agricultural conservation program strictly within the limits of a direct annual appropriation of \$500,000,000, however, rates of payment should be so reduced as to provide these funds for advance expenses within each year's appropriation without such proviso, and it is proposed that the Secretary of Agriculture make such further adjustments in the rates of payment for 1940, 1941, and 1942 as will eliminate the need for such a proviso or other form of supplemental appropriation subsequent to the fiscal year 1942.

The foregoing supplemental estimate of appropriation for the fiscal year 1940 and the proposed offsetting reduction in the Budget estimates for the fiscal year 1941 are required to meet a contingency which has arisen since the submission of the Budgets for the fiscal years 1940 and 1941. I recommend transmission to Congress.

Very respectfully,

JOHN B. BLANDFORD, JR.

Acting Director of the Bureau of the Budget.

THE PRESIDENT,
The White House.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Without objection, it is so ordered. There was no objection.

Mr. CANNON of Missouri. In response to the gentleman from Kansas relative to the decrease in the amount of benefits to be paid to the farmers under this act, of the \$60,000,000, \$36,000,000 will be used for three purposes: First, to advance money to farmers for the purchase of fertilizer, lime, and so forth, which will be repaid by the farmers receiving it from their soil-conservation checks. Second, the premiums for crop insurance must be advanced to farmers who are not in position to pay it in cash, and the amounts so advanced will later be taken out of their checks. Third, the expenses of the county committees will be advanced in order to permit them to meet and provide for compliance in their respective counties. All of these amounts will be paid back, and there is no possibility of a dollar of it being diverted.

The only amount that is not reimbursable is the \$17,000,000 necessary to carry out the new law passed at the last session to provide special benefits for the small farmers. The law was deficient in its applications to the farmers with small acreage, and this \$17,000,000 will equalize their benefits and cannot be refunded. Also the deficiency of approximately \$7,000,000 in overhead. But these amounts are negligible in proportion to the \$500,000,000 involved and, according to the

testimony of the Secretary of Agriculture, will not exceed 4 percent of the 1941 program.

I will say, however, that if the gentleman from Kansas is particularly solicitous about even this amount he may offer an amendment appropriating the additional \$24,000,000. I think he would find very substantial support for such an amendment on both sides of the aisle.

Mr. LAMBERTSON. How can I offer an amendment to put a limitation on a bill that is over in the Senate?

Mr. CANNON of Missouri. The gentleman can offer an amendment providing \$24,000,000 additional for soil conservation and I shall be glad to support it most heartily.

By unanimous consent, the pro forma amendment was withdrawn.

The Clerk read as follows:

Expenses of the Sixteenth Census: For an additional amount for beginning the work of taking, compiling, and publishing the Sixteenth Census of the United States, fiscal year 1940, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1940, and to carry out the provisions of the act, approved August 11, 1939 (53 Stat. 1406), directing the taking of a census of housing as a part of the population inquiry of the sixteenth decennial census, \$5,000,000, to remain available until June 30, 1941.

Mr. REED of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REED of New York: On page 9, beginning in line 15, strike out all down to and including line 2, on page 10.

Mr. REED of New York. Mr. Chairman, this is the only parliamentary approach that I have been able to figure out to stop this proposed snooping census. I have a twofold purpose in this. In the first place, I want to save the Congress from the criticism that is going to come down upon it from the people of this country if it approves the type of questions proposed to be propounded by Harry Hopkins through his 120,000 investigators, or whatever you may choose to call them. If it were possible for me to eliminate the criminal features of this bill, I would approach it from that angle, but it stands now that the American people are to be branded as criminals unless they reveal the innermost secrets of their hearts and permit every cubbyhole of their houses to be explored and whatever is found to be reduced to writing, to be filed with the Government. I say that the people resent it. They resent it deeply.

It was intimated on the floor of the House that we are playing politics with this. If I were playing politics with it, or if any other Republican Member of the House were playing politics with it, I would say just let this thing go on until you get the reaction from asking these housing census questions. It is not political. The press does not consider it political. The New York Times, which has always been a loyal Democratic paper and always goes along with your party just so far as it possibly can and still preserve its self-respect, is opposed to the snooping program. [Laughter.] You ought to read the article appearing in the paper written by Mr. Krock and then see the reaction coming through the mail as a result of those articles.

I am trying to save Congress from itself. You defeated the Housing Act, which, some estimated, would cost this country all the way from \$800,000,000 to \$1,000,000,000. Bear in mind that the census of housing was predicated upon passage of the housing bill you defeated. Three days after the housing bill was defeated the census of housing bill came along and was approved without very much debate. Why? Because it never occurred to you that when you delegated a little discretion to the head of the Commerce Department that he would formulate the type of questions by which he plans to pry into the intimate affairs of the people of this country. It can serve no useful purpose, and here and now we can save \$5,000,000 and stop this whole snooping program.

The great majority of the people, the overwhelming majority of the people of this country are law-abiding; they love their Government, but in this day when totalitarian governments are arising everywhere, when we hear one of the dic-

tators proclaim to the world that the putrid corpse of liberty has been buried and his people cheer this sentiment, our own liberty-loving people are beginning to be jealous of any invasion of their rights. They have no one to whom they can turn except their own duly elected Representatives to save them from the tendency toward centralized totalitarian power.

Mr. SHORT. Will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Missouri.

Mr. SHORT. Does not the gentleman feel that some of these questions, particularly those relating to the housing situation, is an unjustifiable duplication? Do we not already have much of that data? Of course, if the Government is going to make a loan to some individual or corporation to build a housing project, they should naturally have all this information, but that does not justify the Government forcing everybody in the country to answer these questions. There are thousands of people who do not want loans, and they should not be forced to tell all about their business.

Mr. REED of New York. Certainly not. I know that you Democratic Members of the House realize that the head of the Commerce Department has gone too far. I know the head of the Department of Commerce will not eliminate those questions unless you let him know by your act here that you object to them.

Mr. LEAVY. Will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Washington.

Mr. LEAVY. Will the gentleman point out to the membership any one of the 33 questions appearing on pages 124, 125, and 126 of the hearings that violates anybody's constitutional rights? I think the gentleman ought to do that in fairness when he makes a blanket charge.

Mr. REED of New York. When you couple with those questions a fine and a jail sentence, or both, when you go to law-abiding citizens on a survey with criminal penalties attached, I say that every one of the questions is an invasion of the privacy of the home.

In answer to your cry of "politics," let me quote what Mr. Arthur Krock, of your Democratic New York Times, has to say with reference to this snooping census, and the outcries against it:

This attitude is based on belief and experience, recently much intensified, that the Government is a poor keeper of confidences and that the constitutional guaranty of certain privacies is not sacred in Washington. In proof of this, memory need revert no further than the unlawful seizure and publication of private correspondence by Justice (then Senator) Black, and the periodic issuance of Executive orders by the President to open to public inspection information gathered by the Government on a confidential basis.

Also, this is an intensely political administration; the census enumerators were chosen in large part on the request of politicians; and some of the information they have been instructed to obtain from citizens would be very useful in arranging for that planned society which is the goal of many new dealers of the inner circle.

The first few questions in the census schedule are harmless and legitimate. * * * But in the midst of these are two inquiries which no citizen should be compelled to answer on pain of fine, imprisonment, or both: "Value of home, if owned, or monthly rental"; "color or race." It is conceivable that a political machine or an envious neighbor could make improper use of the first. And since anthropologists are far from a unit on how to define races except by the color standard, why demand that, for example, a citizen of mixed ancestry (which means nearly everybody) should give an assured answer? Color anyone ordinarily can see.

"Then come questions 32 and 33, which would throw open to the enumerator who rings the door bell—who might be a neighbor, the servant of a corrupt local political machine, or a total unknown—personal facts wholly private in their nature, according to the American concept. Unless Congress withdraws the question, the citizen must tell "the amount of money, wages or salary received, including commissions," and whether he got an income of \$50 from other sources. He must tell these things also with the knowledge that they could easily be passed on to unauthorized persons, twisted to fit a political theory or exposed to the general gaze if high political authority decided to expose them.

THE CENSUS GUINEA PIGS

The citizen whose doorbell is rung may also find that he is one of the special 5 percent guinea pigs of the New Deal. * * * At other periods of American history the jails would have been full of nonresponders if such questions had been put and the penalties invoked. Among the reasons given by the signers for

the Declaration of Independence were that King George III had "sent hither swarms of officers to harass our people * * * and tried (us) for pretended offenses." They remarked also that "all men * * * are endowed by their Creator with certain inalienable rights," and that governments derive their just powers from the consent of the governed." The inalienable right to refuse to answer some of the 1940 census questions might well be conceded in the spirit of that document.

Editorial from the New York Herald Tribune of February 18, 1940:

Somewhere in the Caribbean, escorted by two destroyers, and bound goodness knows where, is the Democratic Party. Its entire future is contained in the brain of one man, the President of the United States. He refuses to divulge his intentions as to a third term to his closest advisers, let alone the leaders of the Democratic Party. He will not even inform the public as to where the *Tuscaloosa* is going or why.

The whole procedure of the President seems based on the assumption that the American people are movie-struck morons who saw the picture *Wings Over the White House* and are waiting with palpitating hearts for the Great White Father to decide the world's fate from the deck of a cruiser. Of course, if Mr. Roosevelt wanted to know where the heads of states really met and settled things man to man, he should be directed to Berchtesgaden. Mr. Chamberlain could explain that system very nicely. But the *Tuscaloosa* and her mystery seem more like items of fun—just clean fun—a good joke on the American people. No boy on a prank could more enjoy surrounding himself in secrecy. But whether he is up to nothing or up to something, the public seems fairly entitled to know which. And the command is still "Hush."

Perhaps the American people have so lost their senses as to vote for continuing the New Deal junket after 1940. But we doubt that they will. A practical people like to know where they are going and why. They like to consult and be consulted; and they are finding it increasingly difficult to cheer for a leader who insists upon fun for himself, however tragic the results may be for the Nation. After 7 years of voyaging hither and yon and arriving exactly nowhere, the touch of solid earth under the foot will feel pleasant indeed.

[Applause.]

Mr. WOODRUM. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 30 minutes, 5 minutes to be reserved for the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

There was no objection.

Mr. KERR. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, near the close of the last session of the Congress it passed an act authorizing the taking of a housing census at the regular decennial time for taking the census. The act was passed and an appropriation was made for the regular census.

This is not a deficiency item. It is simply an additional sum of \$5,000,000 to take the census authorized by the Congress near the close of the last session. The principal objection to the appropriation seems to be because it makes certain requests for information. It is intimated by the opposition that the Government is inquiring into personal matters that ought not to be looked into and for the reason that if you fail to answer these questions you will be subject to a penalty. These interrogatories are not unlike the interrogatories that have been asked in other censuses of this type or character. You will bear in mind that these answers are private answers and can in no way affect anybody's rights. They will never be known, because the answers are simply kept in the records of the Census Department, and a statute provides that this information cannot be divulged except for statistical purposes. This supplemental housing census cannot be objected to on account of expense, because we are attempting to obviate an expense. It is estimated it will cost as much to take the housing census at this time when we are taking the regular decennial census as it would cost if it were taken at some other time. We are saving about two-thirds the amount it would cost if we took it at another time.

Congress has provided for this census, and it is cheaper to take it now than at another time. The cost will be about one-third by taking it now. The objection made by the opponents of the proposed amendment that it infringes upon

your personal rights cannot be, for the simple reason that practically all censuses of this type have contained the same questions. If we are going to take the housing census, now is the time to take it.

A good deal of opposition has been manifested to our housing program. If this is to be a successful program for the country we ought to have certain information about it which will enable us to conduct the program satisfactorily and accomplish what we desire to accomplish by such a program. Now is the time to take this census. It will not only cost less to take it now, but we will acquire information which is essential to the proper functioning of Department of Commerce, Agriculture, Home Loan Bank Board, Federal Housing Administration, United States Housing Authority, and other Government agencies. It will also benefit private business. This appropriation should be made so that we can take this census along with our regular decennial census. Investment in housing represents about one-fourth of our national wealth, yet we badly need reliable statistical information about it.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, I rise in support of the amendment to strike the additional item of \$5,000,000 of expenditure from this bill.

I realize the further expenditure of five million does not seem like very much money the way we appropriate money these days. It means a lot out in my part of the country, especially when it is not necessary. This item of the extra \$5,000,000 is in addition to an appropriation of forty million that this Congress has already agreed to spend to take the Federal census. This \$40,000,000, I am informed, is ten million more than has heretofore been expended for taking the national census. Now you want to add another five million to take what is known in this bill as a housing census.

Mr. Chairman, let me right here call your attention to the fact that it was only a few months ago a census or survey was taken in every State in the Union. Hundreds of people were employed by the W. P. A. and other agencies to secure the information that you are discussing this afternoon. I do not know what the information is worth, but you have it. As a matter of fact, there are volumes of that information right here in the Congressional Library right across the street. If you do not remember the taking of that census, I am sure the people have not forgotten about it. I just sent for one of the books from the Library, and here it is. It is described as "A Summary of Real Property Inventories Conducted as Work Projects." It says that the work was done under the Works Progress Administration, Division of Social Research. The letter of transmittal is directed to the Honorable Harry L. Hopkins, Director of Works Progress Administration, and is dated August 15, 1938—a little over a year ago. Now, you talk about a housing census. I have not time to read all of it, but let me read just a part of the letter to Mr. Hopkins and which is a part of this book or report. He speaks of the surveys and then says:

From these surveys has been assembled the most detailed body of statistical information now available on the physical characteristics of housing in the United States. Such information provides the data essential for analysis of various problems connected with real estate and aids the formulation of sound housing programs throughout the country.

It goes on further to say, and I quote:

The inventories in this report cover more than 8,000,000 dwelling units.

Further:

The data have sufficiently wide coverage to furnish a general over-all picture of many aspects of urban housing.

It goes on to say that—

The following kinds of information are included: The type, age, condition, value, mortgage status, the number of rooms, number of persons per room, sanitary facilities, and monthly dwelling units.

It also says it contains information concerning "sanitation and health, such as indoor toilets, bathtubs, central heating," and so forth. Sorry I do not have the time to read more of it to you. The preface says the document and the information were prepared with great care under the direction of the Division of Social Research, as I said before.

Now, Mr. Chairman, let us not be confused. This housing census is being taken in addition to the regular census and an additional expense of \$5,000,000 added to the \$40,000,000 already authorized. If you really want this information, you have it. It is right here in the library and it is of record in the office of the Work Projects Administration. Tell me, anyone of you please, why was all this information compiled? Who asked for it? What are you going to do with it? I will tell you what you are going to do. You are going to throw this information right out of the window, and then spend \$5,000,000 of the taxpayers' money to do it all over again. Mr. Chairman, it is not right, and the members of this Committee know it.

Mr. Chairman, I am sorry that my time does not permit, but I do not think it right or fair that a number of the questions contained in the questionnaire should be asked. The amount of your indebtedness is listed; the number of your mortgages; the amounts, the rates of interest, who holds the mortgage, if you are delinquent in your payments; and so forth. It would not make so much difference except that this is not a survey. It is a census and the questions must be answered.

If you are a renter, they ask how much rent you pay and to whom. Now, Mr. Chairman, this House is about to spend this five million to ask these 33 questions in addition to those already listed. That means it will cost about \$165,000 for each question. I just do not believe we ought to do it. If you must do it, and again I say it is not necessary, then use a part of the \$40,000,000 already appropriated. Use just a little bit of economy.

Mr. Chairman, I can hardly understand from what sources comes the demand for the expenditure of this additional \$5,000,000. As I have said you have the information if you really want it. Certainly we are in favor of better housing conditions. This is not the right way to promote better housing in this country.

Why not use a little independent judgment of our own for once and save this \$5,000,000. It is unnecessary and is extravagant. [Applause.]

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK of Arizona. Mr. Chairman, I have heard the several comments this afternoon concerning the Bill of Rights, and the attempts of certain Members to make it appear that this legislation destroys the American Bill of Rights. Our attention has been called to that memorable document as if it were in grave danger. Now, I take second place to no man in this Chamber in my high regard for the Bill of Rights. I have even gone to one of my colleagues lately and gotten several hundred facsimiles of the original draft of the Bill of Rights, first drafted 150 years ago and submitted as 12 amendments to the Constitution, 10 of which were adopted. At the same time that I hand these documents out to patriotic organizations in my State, I say to those patriotic citizens that we need something more than lip service; that it is not nearly so important to memorize the words of those first 10 amendments, or to frame the facsimile and hang it on our assembly walls as it is to know and revere the spirit of it.

I say this simply so that you may see that I am not lacking in respect or veneration for the Bill of Rights, but I wish to state positively that I see no real infringement upon the Bill of Rights in this census legislation. Let me say to my friend the gentleman from New York [Mr. REED], with whom I dislike to differ, that in these changing times we may have to modify our views of the Bill of Rights—and properly so. For instance, I read in the Bill of Rights that the right to bear arms shall not be infringed. Does that

mean we are to let every Tom, Dick, and Harry pick up a machine gun and parade up and down our streets? Or are our statutes forbidding the carrying of concealed weapons in keeping with the spirit of our Bill of Rights?

I read also that the right of trial by jury shall not be abridged, but I want to tell you that in our municipal courts all over this land men are being convicted without a jury trial for speeding and like crimes. Is this wide practice in our courts in keeping with our Bill of Rights? No thoughtful citizen will say it is not. In other words, we should consider the Bill of Rights in the light of present-day conditions.

Further, as a teacher of government, I have told my students time after time that legislation is the greatest work to which the human mind can devote itself, getting my idea from the ancient philosophers, such as Plato and Solon, as well as modern statesmen. Are not lawmakers sometimes called solons? I know it may be a misnomer for such as me, but it implies the possession of wisdom, wisdom largely based on knowledge no small part of which consists of facts. How can we legislate if we do not have facts? The complicated conditions in our national life make possession of facts more imperative for lawmakers every passing year.

I justify this housing census because, while I know the President has said a third of us are ill-housed, I do not know whether he is right or wrong. I would like to know how nearly right or wrong he is. There may be some who do not want to know the true situation. I have often remarked or implied that we have 130,000,000 people in this country, but is that guess anywhere near correct? I will find out the middle of this coming summer. We hear estimates given as to certain figures, but much of our legislating has been jumping in the dark without knowing where we were going, partly because we have not had the facts.

Why have the chemists and the physicists and all the other physical scientists made such progress? Because they can learn facts concerning animals or inanimate nature and work accordingly. Why have the sociologists, the political scientists, and the statesmen made so little progress? I tell you we have made comparatively little progress since that remarkable group of men laid down our basic law and the enduring foundations of our institutions back in 1787. Why have we made so little progress? Because in this field we cannot, must not experiment "guinea pig" fashion. Because we can find out only by making a social study, because we can find out only by inquiry of human beings what we need to know about man and thus know how to govern. This wider inquiry is made in that spirit. [Applause.]

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DITTER: On page 10, line 2, after "1941", strike out the period and insert a colon and the following: "Provided, however, That no part of the sum appropriated in this section shall be available for collecting any information the procurement of which depends upon the enforcement of section 9 of the act of June 18, 1929."

Mr. DITTER. Mr. Chairman, this amendment is offered for the purpose of relieving the penalty feature of the act of 1929. It is presented largely because of the suggestion of the distinguished gentleman from Virginia [Mr. WOODRUM], who during the course of the colloquy earlier in the afternoon by implication, at least, suggested that he would not oppose the lifting of any penalty feature in connection with the procurement of information that might be objectionable to the people of the country. All this amendment does is follow out the suggestion made by my distinguished colleague from Virginia. It enables the enumerators to secure the information the people are willing to give.

However, it relieves those who feel that certain inquisitorial efforts are being made by enumerators and will permit them to avoid such an inquisition and also relieve them of the possibility of any penalty. I, therefore, feel that in view of the temper of the House as a whole that the amendment

should be adopted. The census can be taken and all the information that a census should disclose will be secured, and I ask the favorable consideration of the committee for the amendment which I have just submitted.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. DITTER. I yield to the gentleman from Mississippi with one reservation, that neither power, politics, Pennsylvania, nor Mississippi is to be under consideration.

Mr. RANKIN. Fine! With that understanding, let me call the attention of the gentleman from Pennsylvania to the fact that in 140 years every census bill has carried these provisions, and in 140 years there has never been a prosecution for failure to answer the questions.

Mr. DITTER. May I suggest to the gentleman that the amendment I have offered refers to a bill that was not written 150 years ago, but the act of 1929, which was only a few years ago, and if in his wisdom he sees fit to support this amendment, as I believe he will, then it will be entirely in line with his usual Democratic processes and his love of Jeffersonian philosophy. [Laughter and applause.]

Mr. RANKIN. If the gentleman will yield further, let me say to the gentleman from Pennsylvania that the act of 1920 was passed by a Republican administration, and I see no reason why its provisions should not apply.

[Here the gavel fell.]

The CHAIRMAN. If no Member now seeking recognition desires to be heard in opposition to the Ditter amendment, the Chair will put the question on that amendment.

The question was taken; and on a division (demanded by Mr. DITTER) there were—ayes 80, noes 92.

Mr. DITTER. Mr. Chairman, I demand tellers.

Tellers were ordered; and the Chair appointed as tellers Mr. WOODRUM of Virginia and Mr. DITTER.

The Committee again divided and the tellers reported that there were—ayes 104, noes 99.

So the amendment was agreed to.

Mr. McLEOD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McLEOD: Page 10, line 2, before the period, insert ", and no part of such sum shall be available for the compensation or expenses of any employee who insists upon persons answering questions with respect to the census of housing, authorized by such act of August 11, 1939, over their protest, oral or otherwise."

Mr. McLEOD. Mr. Chairman, I offer this amendment to safeguard the rights of our citizens when they are confronted with many of the ridiculous questions contained in the housing census questionnaire. This unprecedented census of housing will undoubtedly be taken between the hours of 9 and 5, and therefore the questions will be answered in most cases by the housewife. We all know that if the census enumerators call at that particular time the housewives will be confronted with questions relating to mortgages, trusts, liens, second mortgages, or so-called junior liens that it would in many cases be impossible for them to accurately answer without consulting the instruments concerning the property involved.

Section 9 of the Decennial Census Act provides penalties for persons who refuse to answer or fail to give correct information to census agents. My point is that if the average housewife or owner endeavors to answer the questions as contained in questions 28, 30, 31, 32, and 33, and his or her answers are proven to be partially false, untrue, or incorrect, they are liable to a Federal fine of \$60 or imprisonment for 60 days, or both.

It is impossible in many States and cities to obtain the information required other than through the county courthouse, because, as you will recall, the language is "first mortgage on land contracts, second mortgage, or other junior liens." This can apply to many and various obligations against land or against a house, or whatever the property in question may be. This difficulty applies not only to the general property owner but to you Members present here today. I defy any Member here present, if he is a property owner, without

an up-to-date memorandum to answer these questions and answer them accurately he may be in trouble.

The only thing involved in my amendment is to prevent unjust imprisonment and fine.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. McLEOD. I yield.

Mr. CURTIS. I shall support the gentleman's amendment, but I would like to call the Committee's attention to this fact: There is no pretense here that this housing census will be taken for \$5,000,000. I have here a letter from Mr. Austin, Director of the Census, bearing date of July 28, 1939, in which he states:

The suggested appropriation of \$8,000,000 (or even \$8,500,000) for this purpose would not be sufficient to conduct a standard housing census which would cover all the subjects desired in such a census, but would provide only a minimum of the most essential statistics on the basis of which business, industry, and the Government could evaluate the present status and prospective trends of housing.

I have opposed this whole thing in committee, and I expect to continue my opposition, because it is an inquisition.

Mr. McLEOD. I thank the gentleman.

[Applause.]

The CHAIRMAN. The gentleman from Michigan yields back 1 minute. Does any gentleman desire to be heard in opposition to the amendment offered by the gentleman from Michigan? If not, the question recurs on the amendment offered by the gentleman from Michigan.

The question was taken; and on a division (demanded by Mr. McLEOD) there were—ayes 89, noes 95.

Mr. McLEOD. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. POAGE] for 5 minutes.

Mr. POAGE. Mr. Chairman, I yield back my time.

The CHAIRMAN. The gentleman from Connecticut [Mr. MILLER] is recognized for 3½ minutes.

Mr. MILLER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 10, line 2, after the period insert: "Provided, That no part of this appropriation shall be used to pay salaries of any census takers who require citizens to disclose their income."

Mr. MILLER. Mr. Chairman, I assure the committee at the outset that I am not considering politics when I offer this amendment, nor when I oppose the questions to be asked by the Census Bureau in connection with the proposed census. I always regret seeing a question of this kind decided by a party division. I am concerned solely because of the mail that I have received from the district that I represent. I do not keep a caucus list in my office and I do not know whether the people who write to me are Democrats or Republicans. I have reason to believe that many of them are Democrats, as I know that we have a good many Democrats in the district; at least, we did have in November 1938. The gentleman from Washington [Mr. LEAVY] pointed out that there was no question among those printed in the hearings that related to a man's income.

The gentleman is technically correct, because the questions listed in the hearings do not include questions related to income but simply those that specifically relate to the housing census. There is such a question, however, in the general census, the population census of 1940. Question No. 31 specifically refers to the amount of money, wages, or salary received, including commissions, and question 33 to the income of \$50 or more from sources other than money, wages, or salaries.

Mr. PLUMLEY. Mr. Chairman, will the gentleman yield?

Mr. MILLER. Briefly.

Mr. PLUMLEY. I received a communication within the last 24 hours from a citizen of my State in which he advises me that he has offered to convey to the State of Vermont a piece of land of 30 or more acres in area for such use as the Government may see fit to make of it a detention camp

to take care of those who may decline to answer these questions.

Mr. MILLER. I assure the gentleman from Vermont that I am advising all of my constituents to answer the questions asked, and I believe most of them will. However, I believe before Congress gets through considering this bill that the objectionable and illegal questions will be eliminated. I think it is our responsibility to indicate to Mr. Hopkins that we do not want him going into homes asking people intimate matters in respect to their income and whether they earned \$50 or more outside of their income in the last year.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. MILLER. Yes.

Mr. TABER. Under the 1929 Census Act, section 4 says that the census and all subsequent censuses should be limited to questions relating to population, to agriculture, to irrigation, to drainage, to distribution, to unemployment, and to mining. It does not get any authority to ask the income of people.

Mr. MILLER. That is my contention; and at this point I challenge any Member of the House to put into the RECORD any authorization for these income questions or to state that in any census, or on anything other than a survey, questions of income were ever asked by the United States Government of its citizens.

The CHAIRMAN. The gentleman from Vermont [Mr. PLUMLEY] sought recognition of the Chair, but the time was limited. The gentleman from Connecticut has used 3 minutes of the 3½ minutes allotted to him, and the Chair will recognize the gentleman from Vermont [Mr. PLUMLEY] for half a minute.

Mr. PLUMLEY. Mr. Chairman, I yield back my time.

Mr. SHORT. Mr. Chairman, will the gentleman yield to me?

Mr. PLUMLEY. Yes; I yield.

Mr. SHORT. I would like to suggest to the gentleman that the whole State of Vermont will not be large enough to house the people who refuse to answer these questions.

Mr. RANKIN. It housed the Republican Party 5 years ago. [Laughter.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from South Carolina [Mr. HARE] is recognized for 4 minutes.

Mr. HARE. Mr. Chairman, the crux of the opposition to this piece of legislation has been crystallized in the amendment offered by the gentleman from Connecticut [Mr. MILLER]. In the early part of the day the opposition was confined to a "trespass upon the sanctity and privacy of the home," but when we learned this is nothing new for the Government a new approach must be found. Now, the question is whether or not the Government has a right to inquire into the incomes in a decennial census. The housing census is not a decennial census. It is a special census, and it is common information that the Government for the past hundred years has conducted inquiries and made investigation and taken what we know as a census, whether it is decennial or a 5-year census or a 2-year census, or what. In all of those investigations, in all of those inquiries, particularly the investigations or censuses of farming activities, wage earners, industrial activities, and so forth, they have invariably inquired as to income and the source of same. It was brought out earlier in the afternoon that time and time again Congress has authorized investigations, authorized inquiries, authorized that a census be taken on this, that, or the other thing, and in all of those they have inquired as to income. Time and time again you have inquired as to the income from farming operations. Not only that, you have inquired into the income of the various types of farming operations; you have broken them down from one to another. You have inquired as to the income of the wage earner; who employed him; how much he paid him; whether he was paid by the hour, by the week, the day, the month, or the year; and you have inquired into his annual income time and time again. But here is where we find the bug in the buttermilk.

It is all right to inquire into the income of the little farmer out in the rural district to see how much he is getting and where it is coming from, it is all right to inquire of the textile operator to see how much he is getting and where it is coming from, and how much he has in the course of a year to support his family; it is all right to inquire about the income of other industrial operatives; but when you prepare a schedule that will require of the bankers of this country the source and amount of their income, when you inquire of the capitalists of this country as to the source and the amount of their income, when you inquire of the great industrialists as to the source and amount of their income, then it becomes an inquiry that violates the sanctity and privacy of the home.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. HARE. I yield.

Mr. REED of New York. Would the gentleman read into the RECORD the testimony of Dr. Austin, of the Census Bureau, as to the resistance they have received when they endeavored to inquire along the lines you are suggesting, and also read into the RECORD where he said that the census consequently was of little value?

Mr. HARE. The gentleman can read it into the RECORD in his own remarks. I anticipate that there will be objection on the part of the capitalists and industrialists.

Mr. REED of New York. I am talking about the farmers, and the gentleman knows it.

Mr. HARE. No; I do not know it. Not one has mentioned it to me. But I know that farmers and cotton-mill operatives of my State have heretofore answered the questions of this Government time and time again under acts authorized by the Congress. They have answered the questions and none of them has ever been put in jail or the penitentiary for failure to do so. [Applause.]

Mr. TABER. Mr. Chairman, will the gentleman yield?

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Mississippi [Mr. RANKIN] is recognized for the remaining time of 5 minutes.

Mr. RANKIN. Mr. Chairman, the distinguished gentleman from Vermont, the only Republican State in the Union that has remained Republican at all times, says that somebody has offered a certain number of acres of ground for a detention camp for the men who refuse to answer these questions. The distinguished gentleman from Missouri [Mr. SHORT] rose in his wisdom and said that the whole State of Vermont would not be sufficient to hold all of the ones who would be prosecuted under this bill. The gentleman from Missouri [Mr. SHORT] overlooks the fact that less than 5 years ago the State of Vermont held half the Republican Party. Does he think they will all be prosecuted, that they will all refuse to answer these questions, when there has not been a single prosecution for such refusal in 140 years? The gentleman from Vermont [Mr. PLUMLEY] and the gentleman from Missouri [Mr. SHORT] are both evidently aware of that fact.

Mr. PLUMLEY. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. PLUMLEY. I would like to ask the gentleman, if that be the fact, why the necessity for carrying in the bill any provision for a prosecution?

Mr. RANKIN. Oh, the gentleman knows that whenever you require anything done by law, any man who refuses, commits a misdemeanor. That is a matter of common law that every lawyer is familiar with.

Now, Mr. Chairman, all of these attacks, all of these letters we have heard of coming from big income-tax payers, who fear they will have to reveal their income taxes, for fear that some of the manufacturers who clamored for wage and hour repeal will have to reveal the fact that it does not increase the wages of their employees because it is taken away from them in house rent. For fear that this information will be revealed, we find a few letters coming from that section of the United States to Republicans only, while not a Member on the Democratic side has had a letter protesting against this schedule.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. No. The gentleman from Pennsylvania needs information, and I want to give him some right now.

What they are attacking, Mr. Chairman, is the schedule that goes into the proposition of certain appliances in the homes of the American people. Why should we not give that information? You are not embarrassing anybody.

The gentleman from Michigan [Mr. McLEOD] says that the census will be taken between 9, and I believe he said, 3 o'clock. That may be the hours in Michigan, but down in the South-land where I live people work, as a rule, from sunup to sundown, or, at least, a sufficient number of hours to justify their employment. Furthermore, they will not depend on the housewife to answer all the questions. If they did, you would not have so much protest from the income-tax payers from Connecticut and Vermont.

Mr. PLUMLEY. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. For a question.

Mr. PLUMLEY. For an observation?

Mr. RANKIN. Not for an observation, for a question only.

Mr. PLUMLEY. Then will the gentleman yield for a question?

Mr. RANKIN. Yes.

Mr. PLUMLEY. Does not the gentleman appreciate that every Member on the floor of this House deprecates the fact that to every statute there is attached a penalty which, in the language of the gentleman, it is not expected will be enforced?

Mr. RANKIN. Oh, let me say to the gentleman from Vermont that every lawyer always deprecates a law that is against him in a lawsuit. He wishes the law were different, and invariably tries to get the judge so to instruct the jury.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. McCORMACK. Can the gentleman inform us whether or not this same provision was in the Census Act of 10 years ago?

Mr. RANKIN. Why, of course, it was. It has been in the law all along.

Someone objected to the statement of the gentleman from South Carolina to the effect that in 1909, under the Taft administration, a law was passed providing for a special census, a census which went far more into detail than this one. It was also said that that act did not carry a penalty. It carried the usual penalty. If a man had violated the law, he could have been convicted and punished.

But nobody has ever been prosecuted. Why all this disturbance now? Because we propose to get certain information that is necessary for the compilation of these statistics and certain people fear they will have to reveal to the census taker their income taxes, which are already on record. Why, we find this protest coming from a little group here in the House who seem to have got all the mail protesting against this questionnaire.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. Only for a question.

Mr. RICH. The gentleman stated that the census takers in his part of the country would work from sun to sun. Do not the people in that part of the country know there is now on the statute books a wage-hour law which fixes 42 hours a week as the maximum?

Mr. RANKIN. Oh, we take a good deal of time off at noon. [Laughter and applause.]

I have undertaken to tell you some things about household appliances. Nobody has ever denied those statements. The gentleman from Pennsylvania has got an hour, or 40 minutes, or some time to speak on Wednesday.

Mr. RICH. Nobody prepares my speeches, I may say to the gentleman from Mississippi.

Mr. RANKIN. Well, we will wait and see if that speech does not bear the trade-mark of the hand of Esau and the voice of Jacob. [Laughter and applause.]

Mr. Chairman, this amendment should be voted down, and by all means this Ditter amendment should be stricken from the bill. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. TABER moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. TABER. Mr. Chairman—

Mr. DINGELL. Mr. Chairman, a parliamentary inquiry—

The CHAIRMAN. The gentleman from New York has the floor. Does the gentleman yield for a parliamentary inquiry?

Mr. TABER. Not at this time.

Mr. DINGELL. Is not a parliamentary inquiry always in order?

The CHAIRMAN. Not unless the Member having the floor yields for that purpose.

Mr. CANNON of Missouri. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CANNON of Missouri. Mr. Chairman, I make the point of order that the motion made by the gentleman from New York is not in order. The motion to strike out the enacting clause is a motion of very high privilege and not to be offered unless in good faith. It is obvious that the gentleman offers this motion at this time merely to secure time for debate.

Mr. TABER. Mr. Chairman, this is offered in good faith. I shall insist upon a division, and tellers, if I can get them.

Mr. CANNON of Missouri. Mr. Chairman, on that statement of the gentleman from New York, that he offers the motion in good faith, I withdraw my point of order.

The CHAIRMAN. Without objection, the point of order is withdrawn.

There was no objection.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. TABER. Mr. Chairman, this bill is a menace to the liberties of America. So that you may get a full picture of the operation that has been presented to you, I call your attention to the Census Act of 1929. Section 4 thereof reads as follows:

The fifteenth and subsequent censuses—

The fifteenth is this one—

shall be restricted to inquiries relating to population, to agriculture, to irrigation, to drainage, to distribution, to unemployment, and to mines. The number, form, and subdivision of the inquiries in the schedules used to take the census shall be determined by the Director of the Census with the approval of the Secretary of Commerce.

Included in the regular census is the item:

Income in 1939. Amount of money, wages, or salary received, including commission. Did this person receive an income of \$50 or more from sources other than money, wages, or salary.

Mr. Chairman, that is clearly a usurpation of authority. It is clearly without authority that that question is included in the items handed out to the enumerators, and under these circumstances it is a fraud on the American people. The act calling for the housing census says that information may be had concerning the number, characteristics, and geographical distribution of dwelling structures and dwelling units in the United States. There is nothing whatever permitting the requesting of information as to the amount of rent or the value of the property. The whole thing is unauthorized by law. No court in the world would convict any person for refusing to answer those inquisitorial questions. No Congress would ever pass a law requiring such things to be done. Under these circumstances it is absolutely ridiculous to appropriate any money for an outfit which is simply trying to usurp power, annoy and harass the people of the United States.

The only way we have of stopping this ridiculous usurpation of power and foolish operation is to strike out this whole paragraph and not appropriate one dollar for it.

There is no law that requires anyone to answer such questions, and I hope the Congress will not now appropriate money to support things that are not authorized by law. I hope the amendment offered by the gentleman from New York [Mr. REED] will be agreed to, and thereby we will save \$5,000,000 of the Treasury's money and set our goal toward saving money, not throwing it away foolishly. Not a single one of these housing projects has provided a place in which anyone could live who was driven out of a slum project and no one exists in many of these places who can comply with the requirements of the Housing Authority for occupancy.

[Here the gavel fell.]

Mr. RABAUT. Mr. Chairman, I rise in opposition to the motion offered by the gentleman from New York.

Mr. Chairman, Public Act No. 387, Seventy-sixth Congress, first session, Senate 2240, to provide for a national census of housing, under section 2, states:

All of the provisions, including the penalties of the act providing for the fifteenth and subsequent decennial census, approved June 18, 1929—

And so forth—

shall apply to the taking of the census provided for in section 1 of this act.

Section 3 reads:

For the purpose of carrying out the provisions of this act there is authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated not to exceed \$8,000,000 to cover the estimated cost of such census.

Act approved August 11, 1939.

Mr. Chairman, that is the record of the action of this Congress. Within a short space of a few months we have all this political thunder that has been handed out on the floor today. I make one plea here and that plea is for sincerity. On February 8 we had this same request from the gentleman from New York, who then demanded a roll call. The yeas were 134 and the nays were 211. Now, we have it all over again. It is just filling up the RECORD with the same talk that we had here on February 8 last in connection with the bill and an act passed by this House on August 11.

Who wants this census? The heavy-goods industry people of this country want the housing census. The builders and architects and real estate men, the makers of and the dealers in cement and brick and lumber and gravel and paint and glass and all other materials, the makers of construction machinery—all these, and many others, have a stake in such a census.

Who, then, are its opponents? Let them stand up and be counted. That should be a simple operation, for they are so few that they were almost invisible 6 months ago, when the housing census was authorized by Congress.

It would be a long and laborious, almost impossible task merely to read the list of important associations, agencies, and individuals who are on record as favoring this census.

The National Retail Lumber Dealers' Association and the National Lumber Manufacturers' Association are in favor of it. So are the Portland Cement Association, the National Sand and Gravel Association, the Structural Clay Products Institute, the Metal Window Institute, the National Lime Association, the National Paint, Varnish, and Lacquer Association.

The National Association of Real Estate Boards passed a resolution requesting Congress to authorize this year census questions on housing, home ownership, taxing, and home financing.

The National Association of Housing Officials also appealed to Congress for a full housing census and so did the housing boards of New York State and Pennsylvania.

In 1937 unemployment census showed that unemployment in the construction industry is a major factor in the whole unemployment situation. It showed more than three-quarters of a million building-industry workers were totally unemployed or at work on emergency jobs. And it showed another 400,000 who gave this industry as their usual occupation but were partially unemployed.

We are trying to bring this country out of a slump and to the place where the people will seek home ownership. We are making a plea for home ownership so that the people in this country may have a stake. A majority in the House approved the Dies committee investigation of un-American activities, but when we attempt to do something that provides the information necessary for people in this country to have concerning the housing problem, then we find political opposition.

Let us be sincere. Let us put this thing where it belongs. Do we want to establish home ownership or are we against it? Do we desire to make known to the people of this Nation the true picture of home conditions as they exist, or do we just want to feed them some language? I, for one, am anxious that this problem be made known.

The Government has gone into the housing problem. Whether you approve or disapprove does not enter into this legislation. The housing problem has at least brought out the fact that those with money can go and do the same job privately and at a lesser cost than has been done by the Government. Private capital wants to know all the angles of the housing problem. Capital will not risk large operations where it does not know the facts. It cannot be expected to. It should be given the facts, so that it can invest with confidence in those housing fields where there is a known market for its products. Therefore the functions of government should supply the information, and the information will be derived from this housing census.

Mr. Chairman, I have the greatest respect for those who have the spirit of economy in mind, and I think I can hold my head high with the best of them. As a matter of fact, the subcommittee of which I happen to be chairman last year was tops in cutting below the Budget. So our committee, having to do with the legislative branch on appropriations, is taking no back seat as far as economy is concerned.

But housing calls into being the artisans of countless labor trades and public-spirited groups such as the American Society of Planning Officials, the American Public Health Association, and the American Home Economics Association, also the Associated General Contractors, the United States Conference of Mayors, the American Institute of Architects, the Producers' Council, the Construction League of America, and the National Association of Master Plumbers. And so I could go on, but may I conclude with the statement the American Federation of Labor has openly endorsed this program.

[Here the gavel fell.]

The CHAIRMAN. The question is on the motion of the gentleman from New York [Mr. TABER] that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 99, noes 111.

So the motion was rejected.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent to address the Committee for 5 minutes.

Mr. SCHAFER of Wisconsin. Reserving the right to object, Mr. Chairman, has not debate been closed on this paragraph?

The CHAIRMAN. Debate has been closed on the paragraph, but the gentleman is asking unanimous consent to proceed for 5 minutes.

Mr. SCHAFER of Wisconsin. The gentleman's side closed debate. I think it is presumptuous to submit such a request, and I object to it.

Mr. CANNON of Missouri. My request is to speak out of order, Mr. Chairman.

Mr. SCHAFER of Wisconsin. I object to his proceeding out of order, Mr. Chairman.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Connecticut [Mr. MILLER].

Without objection, the Clerk will again report the Miller amendment.

There was no objection.

The Clerk again read the Miller amendment.

The amendment was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from New York [Mr. REED] to strike out the paragraph.

The question was taken; and on a division (demanded by Mr. REED of New York) there were—ayes 102, noes 115.

Mr. REED of New York. Mr. Chairman, I ask for tellers. Tellers were ordered, and the Chairman appointed as tellers Mr. REED of New York and Mr. O'NEAL.

The Committee again divided; and the tellers reported that there were—ayes 124, noes 142.

So the amendment was rejected.

The Clerk read as follows:

The Alaska Railroad: The limitation of \$11,000 upon the amount that may be expended for printing and binding from the appropriations for the Alaska Railroad contained in the Interior Department Appropriation Act, 1939, and the Second Deficiency Appropriation Act, fiscal year 1939, is hereby increased to \$11,972.25.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent to proceed for 5 minutes out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, in 1910, in the Sixty-first Congress, John Dalzell of Pennsylvania, at that time a member of the Committee on Rules, a committee consisting of three, the Speaker of the House, the leader of the minority, and Mr. Dalzell, made the statement in the course of debate that the Rules of the House of Representatives of the United States were not only the most perfect system of rules in the world but the most perfect system of procedure that could be devised, so perfect in fact that it was doubtful whether any further amendment was possible.

If Mr. Dalzell, great statesman and great parliamentarian that he was, could come back today he would hardly recognize the rules of the House of Representatives, so completely and so fundamentally have they been revised and rewritten.

In the 30 years that have intervened since that statement was made we have adapted and adjusted our system of procedure until we have evolved through experiment and practice a remarkably serviceable system of procedure. It is possible that the next generation will look back on that statement in the same light in which we now regard the complacent appraisal of the great Pennsylvanian, but at least one thing has been accomplished. We no longer hear discussions on the floor and in the cloakrooms of proposed amendments to the rules. I can recall when the rules were the subject of almost daily debate on the floor and "liberalization" of the rules was an issue in national platforms and campaigns. There were modifications of the rules at the opening of every Congress and a general revision with every change of administration. Only in comparatively recent years have the rules approached a degree of permanent standardization where they have ceased to be the object of comment or complaint. For the present at least, regardless of what the parliamentarians of 1970 may think of them, the rules of the Seventy-sixth Congress answer every requirement.

One practice, however, has grown up, and is being resorted to with increasing frequency of late, which, if continued, will require some change, either in the rules themselves or preferably through the decision of some able and experienced chairman. It is the unwarranted practice of using, on every occasion and any occasion, the motion to strike out the enacting clause for the purpose of obtaining the floor for debate. Of late, there is rarely an instance in which a consent agreement is secured to limit debate in the Committee of the Whole but what some Member nullifies the agreement and disregards the established rules of debate by moving to strike out the enacting clause. The Member could have asked to be included at the time debate was agreed on and have had his quota of time in regular

order, but he waits until all time has expired and the Committee has closed debate, as is its right, and then disrupts the proceedings by again opening the question to debate in disregard of the understanding to which all interested Members on both sides of the aisle have agreed, or by vitiating the right of those in charge of the bill to close debate. Such misuse of the motion is unwarranted and is in bad taste and verges on bad faith. If my warm, personal friend from New York will indulge me by permitting me to use his recent motion as an example, in answer to my point of order, he said he had made the motion in good faith.

Now, of course, he did make it in good faith in the sense that he desired to eliminate that provision of the bill. But, as a matter of fact, his only purpose in making the motion was to secure the floor, as is shown by the fact that when he closed his remarks, he closed them, not with the expressed hope that the enacting clause be stricken out, but, as he very plainly said, in the hope that the amendment of the gentleman from Connecticut would be agreed to. No such use of the rule was ever contemplated. It is a motion of dignity and high privilege. To prostitute it to such menial use is on a par with invoking the great writ of habeas corpus to release a chicken thief from the village calaboose. It is as unparliamentary as mob rule. It supersedes the fundamental rules of debate. It is neither fair nor logical. It wastes the time of the House and disorganizes established procedure and, to that degree, reflects upon those responsible for the integrity of House and committee procedure.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from South Dakota.

Mr. MUNDT. Will the gentleman advise me, a new Member of the House, what other course a Member may take to get access to the floor if a situation arises such as occurred last Friday, when debate was ruthlessly closed and no time was permitted, except about 34 minutes out of the day, for Members other than committee members to introduce amendments? What other recourse does a Member have except to offer such a motion?

Mr. CANNON of Missouri. That would not give a Member an opportunity to introduce an amendment, it would merely give him 5 minutes to interfere with the orderly program of the House.

Mr. MUNDT. It would give him 5 minutes to present the viewpoint of his constituents.

Mr. CANNON of Missouri. If the rules permitted every Member of the House time in which to present the views of his constituents, we would never be able to dispose of the business of the House in an ordinary session. Gentlemen may extend their remarks, and in full, on any bill under consideration and still keep within legitimate procedure.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. May I say with regard to the observation of the gentleman from South Dakota that debate was ruthlessly closed, that that, of course, is a matter of opinion; but may I call the attention of the gentleman to the fact that the debate went along for nearly 2 hours before the motion to limit debate was made by the chairman of the Committee on Ways and Means?

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent to speak for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON of Missouri. The right of the House to close debate is indispensable. Without it, debate would proceed endlessly. And the right of the Committee or the proponent to close debate is axiomatic. To interfere with either right is disorderly and should be so held by the Chair.

Mr. WARREN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from North Carolina.

Mr. WARREN. The gentleman from Missouri is recognized as one of the greatest parliamentarians who ever sat in the House of Representatives. As we all know, he has written a monumental work on the subject of parliamentary procedure, and therefore I feel quite fortified in having the gentleman take the same position I endeavored to take on Friday on exactly the same question. The gentleman is entirely correct, and I hope that some chairman, some day, will rule accordingly.

Mr. CANNON of Missouri. I may state that I was moved to make this comment by the argument on the point of order recently raised by the gentleman from North Carolina. He is one of the ablest parliamentarians of the House, and one of the most efficient presiding officers who occupies the chair, and his point of order was so well taken and so well supported that it is to be hoped that some strong presiding officer will follow the suggestion made by the distinguished gentleman from North Carolina and establish this much-needed precedent.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Mississippi.

Mr. RANKIN. Mr. Chairman, I wish to say in connection with the statement of the gentleman from North Carolina [Mr. WARREN] that the gentleman from Missouri [Mr. CANNON], who is now addressing the House, is the greatest parliamentarian in the world and the greatest one that has occupied a seat in any parliamentary body since the death of James R. Mann, of Illinois. [Applause.]

Mr. CROWTHER and Mr. VAN ZANDT rose.

Mr. CANNON of Missouri. I yield to the gentleman from New York.

Mr. CROWTHER. But once in 21 years of service have I offended against the rule the gentleman speaks of. This happened on last Friday. Does the gentleman think that such a procedure contains any element of unfairness if the opportunity is given the opposition to rise in opposition to the motion?

Mr. CANNON of Missouri. I am certain the distinguished gentleman from New York, with whom it has been my privilege to serve here so long, understands that I am speaking purely in the abstract and had no personal reference in mind. Nothing which has been said was intended—

[Here the gavel fell.]

Mr. CROWTHER. Mr. Chairman, I ask unanimous consent that the gentleman from Missouri may have 1 more minute.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CROWTHER. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from New York.

Mr. CROWTHER. On the occasion I refer to the gentleman from Massachusetts [Mr. McCORMACK] rose in opposition and really closed the debate on that question. It seems to me there is no element of unfairness as long as provision is made for a rejoinder. I do not think there is any element of unfairness in it. I was not permitted to close the debate. I was only permitted to speak, and the gentleman from Massachusetts [Mr. McCORMACK] rose in opposition and really closed the debate.

Mr. CANNON of Missouri. My friend from New York understands there is no possible ground for criticism of anyone who has used the motion. It has been used on all sides and by everybody and on every occasion.

The very promiscuity of its use is the occasion for this discussion—and for the early adoption of some means of remedying the unfortunate situation it has brought about. I am certain the gentleman from New York will cooperate in restoring the rule to its original use and restricting its

use to its legitimate functions. Whenever the motion is offered it should raise in the mind of the Chair and of the Members of the Committee the question: "What is the purpose of the gentleman in offering the motion; is the motion proposed for the purpose of discontinuing consideration of the bill, or is it offered for the purpose of securing time and disrupting the order of debate?" And when obviously offered for the latter purpose it should never be recognized.

Mr. CROWTHER. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. With pleasure.

Mr. CROWTHER. I would have been very pleased to have had the enacting clause stricken out of the bill.

Mr. RAYBURN. Yes; but the gentleman attempted to withdraw his motion after he had his 5 minutes.

Mr. CROWTHER. Well, that is customary with a pro forma motion. It was offered as a pro forma motion. [Laughter.]

[Here the gavel fell.]

Mr. VAN ZANDT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. VAN ZANDT. A great tribute has been paid the gentleman from Missouri [Mr. CANNON] on his ability as a parliamentarian, but he was violating the procedure of the House when he was not confining his discussion to the business before this body.

The CHAIRMAN. The gentleman has not stated a parliamentary inquiry. With all deference, the Chair may say that the Chair recognized the gentleman for that purpose, but the gentleman has failed to state a parliamentary inquiry.

Mr. LUCE. Mr. Chairman, I rise to oppose the pending motion.

The CHAIRMAN. The gentleman from Massachusetts is recognized in opposition to the pro forma amendment.

Mr. LUCE. Mr. Chairman, I rise in opposition to the pro forma amendment. I think it well to call attention to the fact, as bearing on what the gentleman from Missouri [Mr. CANNON] has said, that he himself was, as the gentleman from Pennsylvania [Mr. VAN ZANDT] has pointed out, violating the rules of the House by not addressing himself to the question.

Mr. EBERHARTER. Mr. Chairman, if I heard the gentleman from Missouri correctly, he asked unanimous consent to speak out of order for 5 minutes.

Mr. LUCE. Then I withdraw that comment, because I did not hear that request made. Further, while I appreciate the importance of what the gentleman from Missouri has said, there are exceptions to all rules. There arise occasions when a man might well transgress the rules of the House to defend himself, to answer a new argument, or to present something that will be of help to the House. Therefore, while I think that the rule ought generally to be observed, to say that any exception to it whatever is violation of wise practice seems to me somewhat extreme. I myself in the course of a debate on an appropriation bill recently misunderstood the situation and found myself precluded from having the attention of the House. It seemed to me of importance at the moment that the House should at least know the consideration that I cared to present and therefore I, as very rarely have I done, violated the spirit of the rules of the House in this particular in order to present a thing that it seemed to me the House ought to consider. Laying down of iron-clad rules permitting no exception under any circumstances does not seem to me essential for good legislation. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. LUCE. Yes.

Mr. CANNON of Missouri. Permit me to say, Mr. Chairman, that the gentleman from Massachusetts [Mr. LUCE] is, in my opinion, the most distinguished parliamentary authority of the House. [Applause.] He served a notable apprenticeship as president of his State senate and as chairman of the committee on rules and procedure of the Massachusetts Constitutional Convention, and his scholarly works on legislative procedure and legislative assemblies and kindred

subjects are accepted as the most authoritative in American literature and jurisprudence. I much appreciate his suggestions. He has summarized the practice succinctly and accurately and with his cooperation we should be able to strike the happy medium in which the motion will be available when needed for the purposes he suggests and at the same time be surrounded with reasonable restraints. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Not to exceed \$15,000 of the appropriation "Salaries, Wage and Hour Division, Department of Labor, 1940", shall be available for transfer to the appropriation "Contingent expenses, Department of Labor, 1940", and not to exceed \$65,000 of the appropriation "Salaries, Wage and Hour Division, Department of Labor, 1940", shall be available for transfer to the appropriation for miscellaneous expenses (other than salaries), Wage and Hour Division: *Provided*, That such appropriation for salaries, Wage and Hour Division, shall be available for reimbursement to State, Federal, and local agencies and their employees for services rendered.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word. When the wage and hour bill was pending in the House and brought up for consideration in the Committee of the Whole on the two occasions that it was considered by the Committee of the Whole, I had the honor and the pleasure of being designated by the Speaker to serve as the Chairman of the Committee of the Whole. It was also my pleasure to vote for the passage of the bill. It is my purpose to make a few observations which I think, if noticed by those who are administering the law, will probably be conducive to the successful operation of the law. What I say is not in the nature of criticism but in the nature of a suggestion to those who have the responsibility of administering the law to be tolerant in the administration of the same, and particularly so during the early stages of the operation of this important and far-reaching piece of legislation. We all know that the success of any law is in its administration. A legislative body may pass a bill that is poorly worded or which has weaknesses, but at its outset, if those who administer the law exercise sound judgment and good common sense, the law, having a desirable objective, will be a success. On the other hand, the best bill that a legislative body can pass, having an objective that is desirable or necessary and agreed to by all, will be unsuccessful if those who administer it do not exercise good judgment and common sense. The wage and hour law is a piece of legislation of general and broad application. It affects many millions of employees, and it also affects tens of thousands of employers. Particularly in the early stages of such a law, those who administer it should be as broad and tolerant in its application as any discretion vested in them by the law will permit. I have had a few cases called to my attention wherein I feel that those responsible for the administration of the law might use a little more caution and care. I can easily see that in the near future, if many more cases of that kind arise throughout the country, there is likely to be a reaction, not against the administration of the law but against the law itself, which all of us who voted for the passage of the law would regret and deplore. Our employers are in the front-line trenches.

They have their troubles; they have their responsibilities, trying to obtain business in order to raise the money which will enable them to meet their pay rolls. They also have a natural desire to obtain a reasonable return upon the money they have invested. It is for the best interest not only of the employer, but of the employees of the country that those who administer this law—and I say this, as I stated before, from the angle of suggestion and not from the angle of criticism—exercise tolerance, broadness, care, and caution in seeing that the relationship between employer and employee is not unreasonably disturbed.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. AUGUST H. ANDRESEN. One of the purposes of that law was to increase employment in this country, and I say to

the gentleman, in line with what he has already said, that thousands of men in small business are being put out of business because of the administration of the wage and hour law.

Mr. McCORMACK. Without agreeing or disagreeing with my friend, nevertheless this far-reaching law, which has such a proper and necessary objective, should be administered with care and with caution. Employers should not in particular be unreasonably pressed upon during the early stage of the operation of this law. Such a course is for the best interests of employees and their continued employment.

Mr. RAMSPECK. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. RAMSPECK. As one of those who helped draft the law, I will say that I agree wholeheartedly with everything the gentleman has stated.

Mr. McCORMACK. I thank my friend from Georgia.

In conclusion, I hope that the few remarks I have made today will serve as a warning, a wise warning to those who are administering the law, because upon their shoulders rest the responsibility of making the success that we who fought for the passage of the law so greatly desire.

[Here the gavel fell.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

Maintenance and operation of the Panama Canal: For an additional amount for the maintenance and operation of the Panama Canal, fiscal year 1940, including the same objects specified under this head in the War Department Civil Appropriation Act, 1940, \$191,000, to remain available until expended.

Mr. IZAC. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. IZAC: On page 20, line 17, strike out "\$1,500,000" and insert "\$2,000,000."

Mr. WOODRUM of Virginia. Mr. Chairman, I am compelled to make a point of order against the amendment. The Clerk has passed that section. The Clerk had read down to page 21.

The CHAIRMAN. The gentleman has correctly stated the situation.

Mr. IZAC. I was on my feet, Mr. Chairman. I stood by the side of the chairman of the subcommittee, and I ask for recognition.

Mr. WOODRUM of Virginia. Mr. Chairman, I have no alternative except to make the point of order.

The CHAIRMAN. And the Chair has no alternative except to state, under the circumstances, the point of order is sustained.

Mr. KELLER. The gentleman is well within his rights, Mr. Chairman, because we are not reading the entire sections at all, but simply reading the amounts. It is only fair that the gentleman should be heard on this matter.

Mr. IZAC. I wonder if we could get unanimous consent to make my plea before the Committee.

I ask unanimous consent that I may proceed.

Mr. TABER. Mr. Chairman, does that mean the gentleman wants to talk or he wants to offer an amendment?

The CHAIRMAN. The gentleman asks to strike out the last word. The request is that the gentleman have unanimous consent to proceed for 5 minutes. Is there objection?

There was no objection.

Mr. IZAC. Mr. Chairman, I do not like to take issue with the Appropriations Committee on this matter, but I think they are wrong, so I intended to draw it to the attention of the committee.

We have in this civil function for the War Department item an appropriation for \$1,500,000 for dredging San Diego Harbor. The reason for the dredging is that we have 190 war vessels using that small harbor. There is not great danger to the ships from collision, but rather because of their running aground on the mud flats of San Diego Bay. The Navy Department and the War Department both recognize the necessity of having this dredging speeded up.

I appeared before the Rivers and Harbors Committee in 1937 and obtained \$4,184,000 authorization for this job. So far we have appropriated \$1,000,000. The War Department and the Navy Department appealed to the Appropriations Committee, and they were backed up by the Bureau of the Budget, to hasten this dredging by giving us \$2,000,000 this year. The \$2,000,000 would have completed what was needed for the Navy Department for the mooring, berthing, and anchorage of the ships that are to be based at San Diego. We are having about 40 of the old destroyers put into commission. In addition to that the new ships which you have authorized to be built for the Navy are coming in very rapidly. There is not room in San Diego Harbor for the berthing of those ships. That is the reason we asked that the dredging be speeded up. I truly believe the Appropriations Committee is making a mistake in not permitting this dredging to go ahead a little faster.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. IZAC. I yield.

Mr. WOODRUM of Virginia. The gentleman knows the original cost of the project was \$4,000,000.

Mr. IZAC. That is right.

Mr. WOODRUM of Virginia. They have had \$1,000,000 and there was a half million dollars in the 1941 bill.

Mr. IZAC. That is right.

Mr. WOODRUM of Virginia. That is the regular course that the project was supposed to take.

Mr. IZAC. Not arbitrarily; no.

Mr. WOODRUM of Virginia. But that is what it was.

Mr. IZAC. That is the way it has been going.

Mr. WOODRUM of Virginia. Now, the \$1,500,000 speeds the project up just that much, because you have had \$1,000,000 up to date, and the committee only gave you a half million for next year, and except for this \$1,500,000, that is the route which the project would have taken. This \$1,500,000 speeds up your project just to that extent.

Mr. IZAC. But let me point this out to the gentleman: If we can let all of these contracts at the same time, we can get the dredging done for 8 or 9 cents a cubic yard instead of 12 or 14 cents, and it will actually save the Government money, for we would probably not have to spend the full \$4,184,000 originally authorized. It is just that we happen to know this is the best way to do it that I come before the Committee and make my presentation. [Applause.]

[Here the gavel fell.]

The Clerk read as follows:

Title II—Judgments and authorized claims.

Mr. WOODRUM of Virginia. Mr. Chairman, title II is judgments and authorized claims which have been audited. I feel confident there is no controversy over this title or that no amendment will be offered to this section. If this be so a great deal of time could be saved by considering the title read.

Mr. Chairman, I ask unanimous consent that title II of the bill may be considered as having been read.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WOODRUM of Virginia. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WHITTINGTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 8641) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1940, to provide supplemental appropriations for such fiscal year, and for other purposes, directed him to report the same back to the House with an amendment with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. WOODRUM of Virginia. Mr. Speaker, I move the previous question on the bill and the amendment to final passage.

The SPEAKER. Is a separate vote demanded on the amendment?

Mr. RANKIN. Mr. Speaker, I ask for a separate vote on the Ditter amendment.

The SPEAKER. Without objection the Clerk will report the amendment for the information of the House.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. DITTER: On page 10, line 2, after the figures "1941", strike out the period, insert a colon, and the following: "Provided, however, That no part of the sum appropriated in this section shall be available for collecting any information the procurement of which depends upon the enforcement of section 9 of the act of June 18, 1929."

The SPEAKER. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. MARTIN of Massachusetts) there were—ayes 109, noes 128.

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 139, nays 196, not voting 90, as follows:

[Roll No. 32]

YEAS—139

Alexander	Englebright	Kilburn	Rogers, Mass.
Allen, Ill.	Fenton	Kinzer	Routzohn
Andersen, H. Carl	Fish	Knutson	Rutherford
Anderson, Calif.	Ford, Leland M.	Kunkel	Sandager
Andresen, A. H.	Gamble	Lambertson	Schafer, Wis.
Andrews	Gartner	LeCompte	Schiffner
Angell	Gearhart	Lemke	Seccombe
Arends	Gilchrist	Lewis, Ohio	Short
Austin	Gillie	Luce	Smith, Maine
Bates, Mass.	Graham	McDowell	Smith, Ohio
Blackney	Grant, Ind.	McLean	Springer
Bolles	Gross	McLeod	Simpson
Bradley, Mich.	Guyer, Kans.	Maas	Stearns, N. H.
Brewster	Gwynne	Marshall	Stefan
Brown, Ohio	Hall, Edwin A.	Martin, Iowa	Sumner, Ill.
Carlson	Halleck	Martin, Mass.	Taber
Carter	Hancock	May	Talle
Case, S. Dak.	Harness	Michener	Thill
Chapierfield	Harter, N. Y.	Miller	Thomas, N. J.
Church	Hawks	Monkiewicz	Thorkelson
Clason	Hess	Mott	Tibbott
Clevenger	Hinshaw	Mundt	Tinkham
Cluett	Hoffman	Murray	Treadway
Cole, N. Y.	Holmes	Oliver	Van Zandt
Corbett	Hope	Osmers	Vorys, Ohio
Crawford	Horton	Pittenger	Vreeland
Crowther	Hull	Plumley	Wadsworth
Culkin	Jeffries	Powers	Welch
Curtis	Jenks, N. H.	Reed, Ill.	Wheat
Ditter	Jensen	Reed, N. Y.	Wigglesworth
Dondero	Johnson, Ill.	Rees, Kans.	Williams, Del.
Dworshak	Johnson, Ind.	Rich	Winter
Eaton	Jones, Ohio	Risk	Wolverton, N. J.
Eiston	Kean	Rockefeller	Youngdahl
Engel	Keefe	Rodgers, Pa.	

NAYS—196

Allen, La.	Casey, Mass.	Eberharter	Hennings
Allen, Pa.	Celler	Edmiston	Hill
Anderson, Mo.	Chapman	Elliott	Hobbs
Arnold	Claypool	Ellis	Houston
Barden	Coffee, Nebr.	Evans	Hunter
Barnes	Coffee, Wash.	Faddis	Izac
Bates, Ky.	Cole, Md.	Fernandez	Jacobsen
Beckworth	Collins	Fitzpatrick	Jarman
Bell	Colmer	Flaherty	Johnson, Luther A.
Bland	Connery	Flannagan	Johnson, Lyndon
Bloom	Cooley	Folger	Johnson, Okla.
Boehne	Cooper	Ford, Thomas F.	Johnson, W. Va.
Boand	Costello	Fries	Jones, Tex.
Boren	Courtney	Garrett	Keller
Boykin	Cox	Gathings	Kennedy, Md.
Brooks	Cravens	Geyer, Calif.	Kerr
Brown, Ga.	Creal	Gibbs	Kilday
Bryson	Crowe	Gore	Kitchens
Buck	D'Alesandro	Gossett	Kocalkowski
Bulwinkle	Darden	Grant, Ala.	Kramer
Burgin	Davis	Green	Lanham
Byrne, N. Y.	Delaney	Gregory	Larrabee
Byrns, Tenn.	Dempsey	Griffith	Lea
Byron	Dies	Hare	Leavy
Camp	Dingell	Harrington	Lesinski
Cannon, Fla.	Doughton	Harter, Ohio	Lewis, Colo.
Cannon, Mo.	Doxey	Havener	Ludlow
Cartwright	Dunn	Hendricks	McAndrews

McCormack	O'Neal	Ryan	Tarver
McGehee	Pace	Sabath	Tenerowicz
McKeough	Parsons	Sasser	Terry
McLaughlin	Patman	Satterfield	Thomas, Tex.
McMillan, Clara G.	Patrick	Schaefer, Ill.	Thomason
McMillan, John L.	Patton	Schuetz	Tolan
Maciejewski	Pearson	Schwert	Vincent, Ky.
Magnuson	Peterson, Fla.	Scrugham	Vinson, Ga.
Mahon	Peterson, Ga.	Secrest	Voorhis, Calif.
Massingale	Pierce	Shanley	Wallgren
Mills, Ark.	Poage	Sheppard	Ward
Mills, La.	Rabaut	Smith, Conn.	Warren
Mitchell	Ramspeck	Smith, Va.	Weaver
Monroney	Randolph	Smith, W. Va.	West
Moser	Rankin	Snyder	Whelchel
Murdoch, Ariz.	Rayburn	South	White, Idaho
Murdock, Utah	Richards	Sparkman	Whittington
Nelson	Robertson	Spence	Williams, Mo.
Norrell	Robinson, Utah	Starnes, Ala.	Wood
O'Connor	Rogers, Okla.	Summers, Tex.	Woodrum, Va.
O'Day	Romjue	Sutphin	Zimmerman

NOT VOTING—90

Ball	Duncan	Kelly	Polk
Barry	Durham	Kennedy, Martin	Reece, Tenn.
Barton	Edelstein	Kennedy, Michael	Robison, Ky.
Beam	Fay	Keogh	Sacks
Bender	Ferguson	Kirwan	Schulte
Bradley, Pa.	Flannery	Kleberg	Seger
Buckler, Minn.	Ford, Miss.	Landis	Shafer, Mich.
Buckley, N. Y.	Fulmer	McArdle	Shannon
Burch	Gavagan	McGranery	Sheridan
Burdick	Gehrman	Maloney	Smith, Ill.
Caldwell	Gelach	Mansfield	Smith, Wash.
Clark	Gifford	Marcantonio	Somers, N. Y.
Cochran	Hall, Leonard W.	Martin, Ill.	Steagall
Crosser	Hart	Mason	Sullivan
Cullen	Hartley	Merritt	Sweeney
Cummings	Healey	Mouton	Taylor
Darrow	Hook	Myers	Walter
DeRouen	Jarrett	Nichols	White, Ohio
Dickstein	Jenkins, Ohio	Norton	Wolcott
Dirksen	Jennings	O'Brien	Wolfenden, Pa.
Disney	Johns	O'Leary	Woodruff, Mich.
Douglas	Kee	O'Toole	
Drewry	Kefauver	Pfeifer	

So the amendment was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Gifford (for) with Mr. Drewry (against).
 Mr. Woodruff of Michigan (for) with Mr. Walter (against).
 Mr. Jenkins of Ohio (for) with Mr. Burch (against).
 Mr. White of Ohio (for) with Mr. Mouton (against).
 Mr. Leonard W. Hall (for) with Mr. Kleberg (against).
 Mr. Hartley (for) with Mr. Maloney (against).
 Mr. Seger (for) with Mr. Sheridan (against).
 Mr. Dirksen (for) with Mr. DeRouen (against).
 Mr. Douglas (for) with Mr. Mansfield (against).
 Mr. Darrow (for) with Mr. Kelly (against).
 Mr. Jarrett (for) with Mr. Kirwan (against).
 Mr. Bender (for) with Mr. Schulte (against).
 Mr. Wolfenden of Pennsylvania (for) with Mr. Clark (against).
 Mr. Wolcott (for) with Mr. Steagall (against).

General pairs:

Mr. Ford of Mississippi with Mr. Robison of Kentucky.
 Mr. Cullen with Mr. Johns.
 Mr. Hart with Mr. Barton.
 Mr. Crosser with Mr. Jennings.
 Mr. Caldwell with Mr. Mason.
 Mr. Gavagan with Mr. Landis.
 Mr. Disney with Mr. O'Brien.
 Mr. Nichols with Mr. Shafer of Michigan.
 Mr. Fay with Mr. Reece of Tennessee.
 Mrs. Norton with Mr. Ball.
 Mr. Martin J. Kennedy with Mr. Marcantonio.
 Mr. Keogh with Mr. Buckler of Minnesota.
 Mr. Beam with Mr. Burdick.
 Mr. Barry with Mr. Gehrman.
 Mr. Martin of Illinois with Mr. Dickstein.
 Mr. Merritt with Mr. Myers.
 Mr. Duncan with Mr. Edelstein.
 Mr. Ferguson with Mr. Polk.
 Mr. Pfeifer with Mr. Flannery.
 Mr. Fulmer with Mr. O'Toole.
 Mr. Sacks with Mr. Hook.
 Mr. O'Leary with Mr. McArdle.
 Mr. Cochran with Mr. Somers of New York.
 Mr. McGranery with Mr. Sweeney.
 Mr. Sullivan with Mr. Bradley of Pennsylvania.
 Mr. Kee with Mr. Cummings.
 Mr. Buckley of New York with Mr. Kefauver.
 Mr. Durham with Mr. Healey.
 Mr. Smith of Illinois with Mr. Shannon.
 Mr. Michael J. Kennedy with Mr. Taylor.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. TABER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. TABER. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. TABER moves to recommit the bill to the Committee on Appropriations with instructions to report the same back forthwith with the following amendment: Page 9, line 15, strike out all down to and including page 10, line 2.

Mr. WOODRUM of Virginia. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

Mr. TABER. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The Clerk called the roll; and there were—yeas 138, nays 196, not voting 91, as follows:

[Roll No. 33]

YEAS—138

Alexander	Englebright	Kinzer	Rogers, Mass.
Allen, Ill.	Fenton	Knutson	Routzohn
Andersen, H. Carl	Fries	Kunkel	Rutherford
Anderson, Calif.	Gamble	Lambertson	Sandager
Andresen, A. H.	Gartner	LeCompte	Schafer, Wis.
Andrews	Gearhart	Lenke	Schiffler
Angell	Gilchrist	Lewis, Ohio	Secombe
Arends	Gille	Luce	Short
Austin	Graham	Ludlow	Simpson
Bates, Mass.	Grant, Ind.	McDowell	Smith, Maine
Blackney	Gross	McLean	Smith, Ohio
Bolles	Guyer, Kans.	McLeod	Springer
Bradley, Mich.	Gwynne	Maas	Stearns, N. H.
Brewster	Hall, Edwin A.	Marshall	Stefan
Brown, Ohio	Halleck	Martin, Iowa	Summer, Ill.
Burdick	Hancock	Martin, Mass.	Taber
Carlson	Harness	Michener	Talle
Case, S. Dak.	Harter, N. Y.	Miller	Thill
Chapfield	Hawks	Monkiewicz	Thomas, N. J.
Church	Hess	Mott	Thorkelson
Clason	Hinshaw	Mundt	Tibbott
Clevenger	Hoffman	Murray	Tinkham
Cluett	Holmes	Oliver	Treadway
Cole, N. Y.	Hope	Osmers	Van Zandt
Corbett	Horton	Pittenger	Vorhs, Ohio
Crawford	Jeffries	Plumley	Vreeland
Crowther	Jenks, N. H.	Powers	Wadsworth
Culkin	Jensen	Reece, Tenn.	Wheat
Curtis	Johns	Reed, Ill.	Wigglesworth
Ditter	Johnson, Ill.	Reed, N. Y.	Williams, Del.
Dondoro	Johnson, Ind.	Rees, Kans.	Winter
Dworshak	Jones, Ohio	Rich	Wolverton, N. J.
Eaton	Kean	Risk	Youngdahl
Elston	Keefe	Rockefeller	
Engel	Kilburn	Rodgers, Pa.	

NAYS—196

Allen, La.	Cooley	Grant, Ala.	McKeough
Allen, Pa.	Cooper	Green	McLaughlin
Anderson, Mo.	Costello	Gregory	McMillan, Clara G.
Arnold	Courtney	Griffith	McMillan, John L.
Barden	Cox	Hare	Maclejewski
Barnes	Cravens	Harrington	Magnuson
Bates, Ky.	Creal	Harter, Ohio	Mahon
Beam	Crosser	Havener	Massingale
Beckworth	Crowe	Hendricks	May
Bell	D'Alesandro	Hennings	Mills, Ark.
Bland	Davis	Hill	Mills, La.
Bloom	Delaney	Hobbs	Mitchell
Boehne	Dempsey	Houston	Monroney
Boland	Dies	Hull	Moser
Boren	Dingell	Hunter	Murdock, Ariz.
Brooks	Doughton	Izac	Murdock, Utah
Brown, Ga.	Doxey	Jacobsen	Nelson
Bryson	Dunn	Jarman	Norrell
Buck	Eberhart	Johnson, Luther A.	O'Connor
Bulwinkle	Edmiston	Johnson, Lyndon	O'Day
Burgin	Elliott	Johnson, Okla.	O'Neal
Byrne, N. Y.	Ellis	Johnson, W. Va.	Pace
Byrns, Tenn.	Evans	Jones, Tex.	Parsons
Byron	Faddis	Kennedy, Md.	Patman
Camp	Fernandez	Kerr	Patrick
Cannon, Fla.	Fitzpatrick	Kilday	Pearson
Cannon, Mo.	Flaherty	Kitchens	Peterson, Fla.
Cartwright	Flannagan	Kocalkowski	Peterson, Ga.
Casey, Mass.	Folger	Kramer	Pierce
Celler	Ford, Leland M.	Lanham	Poage
Chapman	Ford, Thomas F.	Larrabee	Rabaut
Claypool	Fulmer	Lea	Ramspeck
Coffee, Nebr.	Garrett	Leavy	Randolph
Coffee, Wash.	Gathings	Lesinski	Rankin
Cole, Md.	Geyer, Calif.	Lewis, Colo.	Rayburn
Collins	Gibbs	McAndrews	Richards
Colmer	Gore	McGinnis	Robinson, Utah
Connery	Gossett	McGehee	

Rogers, Okla.	Shanley	Sutphin	Warren
Romjue	Sheppard	Tarver	Weaver
Ryan	Smith, Conn.	Tenerowicz	Weich
Sabath	Smith, Va.	Terry	West
Sasscer	Smith, W. Va.	Thomas, Tex.	Wheichel
Satterfield	Snyder	Thomason	White, Idaho
Schaefer, Ill.	South	Tolan	Whittington
Schuetz	Sparkman	Vincent, Ky.	Williams, Mo.
Schwert	Spence	Vinson, Ga.	Wood
Scrugham	Starnes, Ala.	Voorhis, Calif.	Woodrum, Va.
Secrest	Summers, Tex.	Ward	Zimmerman

NOT VOTING—91

Ball	Duncan	Kelly	Polk
Barry	Durham	Kennedy, Martin	Robertson
Barton	Edelstein	Kennedy, Michael	Robison, Ky.
Bender	Fay	Keogh	Sacks
Boykin	Ferguson	Kirwan	Schulte
Bradley, Pa.	Fish	Kieberg	Seger
Buckley, Minn.	Flannery	Landis	Shafer, Mich.
Buckley, N. Y.	Ford, Miss.	McArdle	Shannon
Burch	Gavagan	McGranery	Sheridan
Caldwell	Gehrmann	Maloney	Smith, Ill.
Carter	Gerlach	Mansfield	Smith, Wash.
Clark	Gifford	Marcantonio	Somers, N. Y.
Cochran	Hall, Leonard W.	Martin, Ill.	Steagall
Cullen	Hart	Mason	Sullivan
Cummings	Hartley	Merritt	Sweeney
Darden	Healey	Mouton	Taylor
Darrow	Hook	Myers	Walgren
DeRouen	Jarrett	Nichols	Walter
Dickstein	Jenkins, Ohio	Norton	White, Ohio
Dirksen	Jennings	O'Brien	Wolcott
Disney	Kee	O'Leary	Wolfenden, Pa.
Douglas	Kefauver	O'Toole	Woodruff, Mich.
Drewry	Keller	Pfeifer	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Gifford (for) with Mr. Drewry (against).
 Mr. Woodruff of Michigan (for) with Mr. Walter (against).
 Mr. Jenkins of Ohio (for) with Mr. Burch (against).
 Mr. White of Ohio (for) with Mr. Mouton (against).
 Mr. Leonard W. Hall (for) with Mr. Kieberg (against).
 Mr. Hartley (for) with Mr. Maloney (against).
 Mr. Seger (for) with Mr. Sheridan (against).
 Mr. Dirksen (for) with Mr. DeRouen (against).
 Mr. Douglas (for) with Mr. Mansfield (against).
 Mr. Darrow (for) with Mr. Kelly (against).
 Mr. Jarrett (for) with Mr. Kirwan (against).
 Mr. Bender (for) with Mr. Schulte (against).
 Mr. Wolfenden of Pennsylvania (for) with Mr. Clark (against).
 Mr. Wolcott (for) with Mr. Steagall (against).

General pairs:

Mr. Ford of Mississippi with Mr. Robison of Kentucky.
 Mr. Cullen with Mr. Carter.
 Mr. Hart with Mr. Barton.
 Mr. Robertson with Mr. Jennings.
 Mr. Caldwell with Mr. Mason.
 Mr. Gavagan with Mr. Landis.
 Mr. Disney with Mr. O'Brien.
 Mr. Nichols with Mr. Shafer of Michigan.
 Mr. Fay with Mr. Fish.
 Mrs. Norton with Mr. Ball.
 Mr. Martin J. Kennedy with Mr. Marcantonio.
 Mr. Keogh with Mr. Buckley of Minnesota.
 Mr. Barry with Mr. Gehrmann.
 Mr. Martin of Illinois with Mr. Dickstein.
 Mr. Merritt with Mr. Myers.
 Mr. Duncan with Mr. Edelstein.
 Mr. Ferguson with Mr. Polk.
 Mr. Pfeifer with Mr. Flannery.
 Mr. Sacks with Mr. Hook.
 Mr. O'Leary with Mr. McArdle.
 Mr. Cochran with Mr. Somers of New York.
 Mr. McGranery with Mr. Sweeney.
 Mr. Sullivan with Mr. Bradley of Pennsylvania.
 Mr. Kee with Mr. Cummings.
 Mr. Buckley of New York with Mr. Kefauver.
 Mr. Durham with Mr. Healey.
 Mr. Smith of Illinois with Mr. Shannon.
 Mr. Michael J. Kennedy with Mr. Taylor.
 Mr. O'Toole with Mr. Walgren.
 Mr. Boykin with Mr. Darden.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. BOLAND). The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

INCREASING THE LENDING AUTHORITY OF THE EXPORT-IMPORT BANK OF WASHINGTON

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution, which was referred to the House Calendar and ordered printed:

House Resolution 398

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the

Committee of the Whole House on the state of the Union for the consideration of S. 3069, a bill to provide for increasing the lending authority of the Export-Import Bank of Washington, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 4 hours, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

RIO GRANDE CANALIZATION PROJECT

Mr. DEMPSEY, from the Committee on Rules, submitted the following privileged resolution, which was referred to the House Calendar and ordered printed:

House Resolution 399

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 7809, a bill authorizing the reconstruction or replacement of certain bridges necessitated by the Rio Grande canalization project and authorizing appropriation for that purpose. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

INVESTIGATING THE EXTENT TO WHICH THE UNITED STATES IS DEPENDENT UPON FOREIGN NATIONS FOR ITS SUPPLY OF TIN

Mr. COLMER, from the Committee on Rules, submitted the following privileged resolution, which was referred to the House Calendar and ordered printed:

House Resolution 275

Resolved, That the Committee on Foreign Affairs of the House of Representatives, or a subcommittee thereof, is hereby authorized and directed to review and bring up to date its previous report on tin; to make such further investigation as it may deem appropriate with regard to the present dangerous dependency of the United States upon foreign nations for a supply of tin as a material vital to its commercial and military needs, including (a) world control of tin prices and production by foreign countries; (b) possible substitutes for and resources of tin which may be developed within the United States and its Territorial possessions; (c) all other questions in relation thereto that would aid Congress in any necessary legislation.

The said committee, or any subcommittee thereof, is hereby authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, by subpoena or otherwise, and to take such testimony as it deems necessary. Subpenas shall be issued under the signature of the chairman or any member designated by him and shall be served by any person designated by him. The chairman of the committee or any member thereof may administer oaths to witnesses. Every person who, having been summoned shall willfully default, or who, having appeared, refuses to answer any question pertinent to the investigation heretofore authorized shall be held to the penalties provided by section 102 of the Revised Statutes of the United States.

ELECTION TO COMMITTEES

Mr. MARTIN of Massachusetts. Mr. Speaker, I offer a resolution, which I send to the desk, and ask its immediate adoption.

The Clerk read as follows:

House Resolution 400

Resolved, That CLARENCE E. KILBURN, of New York, be, and he is hereby, elected to the Committees on the Civil Service and the Territories.

The resolution was agreed to.

AMENDMENT OF BANKRUPTCY ACT

Mr. SUMNERS of Texas. Mr. Speaker, I call up the conference report on the bill (H. R. 6505) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," and ask unanimous consent that the statement be read in lieu of the report.

Mr. SCHAFER of Wisconsin. Reserving the right to object, Mr. Speaker, has that action been approved by the minority?

Mr. SUMNERS of Texas. It has been approved by everybody.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6505) to amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States, approved July 1, 1898," and Acts amendatory thereof and supplementary thereto, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 2.

That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same.

HATTON W. SUMNERS,
EMANUEL CELLER,
CHARLES F. McLAUGHLIN,
U. S. GUYER,
CHAUNCEY W. REED,

Managers on the part of the House.

JAMES H. HUGHES,
CARL A. HATCH,
WARREN R. AUSTIN,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6505) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto, submit the following explanation of the effect of the action agreed upon in conference, and recommended in the accompanying conference report:

Amendment No. 1: This Senate amendment is merely clarifying. The House agrees to the substitution of the words "the foregoing section" for the words "this act."

Amendment No. 2: Senate amendment 2 made substantive changes in the Municipal Bankruptcy Act. These included bringing counties and parishes within the terms of the act; extending the life of the act to June 30, 1942; providing that proof of delivery of securities covered by the plan should be deemed to constitute written consent of the plan and providing that confirmation of a plan should not be denied on the grounds that the plan submitted for confirmation is at variance with the partially completed original plans if the terms of the plan submitted for confirmation are not less favorable to creditors than the terms of the original plan nor on the grounds that partial completion of the plan had made it possible for the petitioner to meet its debts as they mature. The House conferees were of the opinion that these substantive amendments properly should be considered as a separate bill rather than as an amendment to H. R. 6505. The Senate recedes.

HATTON W. SUMNERS,
EMANUEL CELLER,
CHARLES F. McLAUGHLIN,
U. S. GUYER,
CHAUNCEY W. REED,

Managers on the part of the House.

Mr. REED of Illinois. Mr. Speaker, in 1937 Congress amended the bankruptcy statutes by enacting the so-called Wilcox law, commonly referred to as the Municipal Bankruptcy Act or the Municipal Compositions Act. Under it any of certain enumerated classes of municipalities is permitted to file in a Federal court a petition stating that such municipality is insolvent or unable to meet its debts as they mature and that it desires to effect a plan for their composition. The proposed plan, which must have been previously assented to by creditors of the municipality owning not less than 51 percent in amount of the affected securities, is filed with the petition. After due notice to the remaining creditors, a hearing is conducted by the court, in which sponsors of and objectors to the plan are given full opportunity to voice their approval or disapproval. The plan, if then accepted in writing by the bona fide creditors holding at least two-thirds of the aggregate amount of claims of all classes affected and confirmed by the court, may then be made operative in composing the debts of the petitioning municipality. Appeals are provided for to review the decision of the district court. Among the taxing agencies enumerated in the present law which are permitted to file petitions for the purpose of effecting a composition of their

obligations are local improvement districts. In many States, among them Illinois, there are no such municipal corporations. In these States the city, village, or town, as the case may be, initiates the improvement. It assesses the property to be improved, issues and disposes of the bonds, collects the assessments levied against the real estate, and applies the proceeds thereof to the payment of principal and interest on the bonds. The obligations created are a lien against the property affected by the improvement and are in nowise a debt of the municipality, which merely acts in the capacity of a trustee—collecting and paying off. Under the law as it now exists, such municipalities are barred from effecting a composition of their special assessments, because under the general terms of the act they must, in their petition to the court, state that they are insolvent and unable to meet their debts, when in fact such may not be the case. Many of the States in which these municipalities are located have passed laws for the refunding of special-assessment bonds, but such laws are of no avail, because a compromise of the obligations cannot be effected without the unanimous consent of the holders of the securities. The only recourse of such municipalities is in the courts of bankruptcy; and through an inadvertent omission in the law, not foreseen or contemplated at the time of its consideration by the Congress, the doors of the courtrooms are theoretically closed in their faces. To correct this omission, H. R. 6505 was designed and passed. Under its provisions, jurisdiction is given to the Federal court when the petitioning municipality avers that—

The property liable for the payment of such securities, principal, and interest is not of sufficient value to pay same, and that the accrued interest on such securities is past due and in default.

This legislation received the approval of the house of delegates of the American Bar Association at its meeting in Chicago in January of 1939. The committee on special assessments of real property and special assessment obligations of the municipal law section of the association, in its report, said:

The reason for including special assessment bonds within the Federal bankruptcy power is that in many parts of the country there is a considerable volume of such bonds secured by special assessments so excessive in relation to the value of the land that they never can be enforced. It is in the interest of all concerned that a fair adjustment be made. The holders of the securities will benefit by getting new securities for an amount which they may reasonably expect to be paid. The owners of the land assessed will benefit by having their land relieved of an insupportable lien for one which can be met. The public will gain by having the land made marketable and available for development and use. * * *

The part of the Bankruptcy Act relating to municipalities will expire, according to its present terms, on June 30, 1940. It may or may not be extended. But while it lasts no good reason appears for excluding special-assessment bonds from its operation and every reason for including them. The consideration which suggested the act for full faith and credit bonds applies equally to special-assessment securities. * * *

The measure under consideration, H. R. 6505, was reported to the House with the unanimous approval of the Committee on the Judiciary and passed this body without a dissenting vote. Several amendments were added in the Senate, which resulted in its being sent to conference. The conference committee recommends the elimination of all of those amendments except one, which is merely of a clarifying nature. I trust that the report will, like the bill itself, receive the unanimous approval of this House.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

ELECTION TO COMMITTEE

Mr. COOPER. Mr. Speaker, I offer a privileged resolution for immediate consideration.

The Clerk read as follows:

House Resolution 401

Resolved, That CLIFFORD DAVIS, of Tennessee, be, and he is hereby, elected a member of the Standing Committee of the House of Representatives on the Post Office and Post Roads.

The resolution was agreed to.

EXTENSION OF REMARKS

Mr. DUNN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two letters I have received.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SABATH asked and was given permission to revise and extend his own remarks in the RECORD.

AMERICAN RED CROSS AMBULANCE DRIVERS OF THE WORLD WAR

Mr. LESINSKI. Mr. Speaker, I asked unanimous consent that the Committee on Invalid Pensions be discharged from further consideration of the bill (H. R. 7984) granting pensions to certain American Red Cross ambulance drivers of the World War, and that the bill be referred to the Committee on World War Veterans' Legislation, of which the gentleman from Mississippi [Mr. RANKIN] is the chairman.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDMENT OF WORLD WAR ADJUSTED COMPENSATION ACT

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that the Committee on World War Veterans' Legislation be discharged from further consideration of the bill (H. R. 8563) to amend the World War Adjusted Compensation Act, and that the same be referred to the Committee on Ways and Means.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. GREEN. Mr. Speaker, I ask unanimous consent that following any special orders of today, I may address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

EXTENSION OF REMARKS

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include a brief editorial from Better Roads, all of it relative to highways.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks with respect to the conference report adopted a few moments ago.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McLEAN. Mr. Speaker, on Friday I made some reference in my remarks on the reciprocal trade agreements bill to the Schechter case, which was the case setting aside the N. R. A., in Two Hundred and Ninety-fifth United States Reports. I ask unanimous consent to include in my remarks some excerpts from the opinion in that case.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HARTER of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a resolution adopted by the Republican Women's Council of Erie County, concerning the questions in the 1940 census.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LEWIS of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Potters Herald of East Liverpool, Ohio, of February 22.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a letter from the Brotherhood of Railroad Trainmen of Iowa.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HARRINGTON. Also, Mr. Speaker, to extend my own remarks in the RECORD and to include a letter from the Mississippi Carriers' Association in respect to the Wheeler-Lea transportation bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Under special order heretofore made, the Chair recognizes the gentleman from Florida [Mr. GREEN] for 15 minutes.

SOCIAL-SECURITY LAW

I WANT FEDERAL PENSIONS FOR THE AGED ON PAY-AS-YOU-GO BASIS NOW

Mr. GREEN. Mr. Speaker and my colleagues, I urge the immediate passage of H. R. 8264, a bill to provide for national recovery by raising revenue and retiring citizens past 60 years of age from gainful employment and provide for the general welfare of all the people of the United States, and for other purposes. I believe that each of you realize with me the eminent necessity of more adequate security for the aged of our Nation and also, you know as well as I do, that existing social-security legislation has not fully met this requirement. It is true that social-security legislation now in existence has carried helpful benefits to some of the aged, the blind, needy, children, and the weak. Only a small percentage of those entitled to and in need of these benefits have been able to receive them. This lack of assistance is caused both by the inadequacy of the legislation itself and by the various States not sufficiently matching funds.

TITLES I AND II, SOCIAL SECURITY ACT

Of the existing social-security legislation, I would call your particular attention to titles I and II of the Social Security Act, as amended. These are the provisions which should be repealed and for which reasonable, just, and fair legislation should be substituted.

It has been estimated that of an average group of 1,000 American citizens over 65 years of age, in 1937, only 128 had current earnings, only 150 had savings, and only 73 had public or private pensions, while 203 were dependent wholly or in part on private or public charity, and 446 were living on the hand-outs of friends and relatives. This revelation was made by statistics prepared, I believe, by the Social Security Board. These statistics show the alarming need for adequate help for the some 7,000,000 citizens in America above 65 years of age, and also for almost an equal number between 60 and 65 years of age.

There are between thirteen and fourteen million American citizens over 60 years of age. According to the above statistics, some 85 percent of them were in need of assistance or were actually receiving assistance.

A few weeks ago there was an announcement from the Social Security Board that \$114,000,000 would be distributed among 912,000 old people this year. This, of course, is only about \$10 per month, and bear in mind that this 912,000 is only about 25 percent of those in the country who are above 65 years of age, and who are in desperate need.

The average pension or income of \$10 per month for a person 65 years of age or above, is so meager and inadequate that it is ridiculous. Now, I am not condemning these payments because they have helped and are helping the aged of our country a great deal, but what I am trying to impress upon you is the great necessity of the Congress to now pass pay-as-you-go pension legislation which will bring security for all of the aged citizens in our country.

Under existing law, the Federal Government puts up \$20 per month, providing this \$20 is equally matched by the

State. Under the existing plan, the State of California is the only State fully matching the \$20 and paying a pension of \$40 per month. The scale goes on down among the several States, and reaches a low of average pension in another State of \$5.80 per month. The total average paid throughout the United States, in all States, is \$19 per month.

Mr. CARTWRIGHT. Mr. Speaker will the gentleman yield?

Mr. GREEN. Yes.

Mr. CARTWRIGHT. Does the gentleman think those with large-income capacity should be willing to take care of the aged?

Mr. GREEN. I appreciate the gentleman's inquiry, and I certainly do. Further in my remarks, I will discuss that subject. The large-income receivers undoubtedly should be willing to contribute their portion toward the security of the aged of our country. I will give later in my remarks also some of the incomes of the larger corporation presidents and individuals.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. GREEN. Yes.

Mr. VOORHIS of California. My own State I believe is the only State in the Union where the people are in a position to have the full advantage of the amount of money paid under the Social Security Act. For my part I do not believe this problem will ever be solved until we have a national pension system which deals alike with people of all sections of the country. If, as many of the world economists contend, one of our principal problems is the problem of the lack of balance between money saved for investment purposes, and money spent on current consumption of goods currently produced, does not the gentleman believe some such system as this is necessary to correct that?

Mr. GREEN. The gentleman is obviously correct. One of the main troubles with the present social-security law is that the weaker States are not now participating share and share alike with the richer States.

Mr. SCHAFER of Wisconsin. The gentleman admits that the present Social Security Act with its exorbitant pay roll on the rank and file of the workers is indefensible, does he not?

Mr. GREEN. I contend that the present social-security set-up in the way it affects the aged is not adequate. It is wrong. It draws contributions from the wage earners, and many of those small wage earners are never able to participate in any income advantage; so the obvious responsibility for the gentleman and for myself and for the Congress is to pass a bill which will make the responsibility fall on the higher income as well as the small income, and let the aged of the land throughout the country share and share alike in the benefits.

UNFAIR TO WEAK STATES

I would not have you get the impression that all of the aged citizens in the various States who are in need are receiving these pensions—quite to the contrary. I can speak better for my own State than I can for others. Our State has failed to provide funds to adequately match the Federal offer and, through regulations, fully three-fourths of the aged who should receive pensions are not getting a thin dime. In other words, the "need clause" is forcefully stressed, making it practically impossible for one to get any allowance unless he is, in fact, a destitute pauper. The poor States are not able to match the \$20 per month, or they are not doing it, and through default of this matching, funds from the weak States are siphoned out into the rich States. The powerful and rich States are the ones that are matching the highest Federal funds. When a small, weak State defaults on matching, the people of this State still pay into the social-security fund their industrial and employment pro rata of Federal taxes. They enrich the national fund which is in turn siphoned out into the powerful States. This plan is wrong.

An aged person can be just as hungry in Florida, Georgia, or Arkansas as he is in California, Pennsylvania, or New York. Hunger respects no State line and destitution chooses no particular locality. [Applause.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. GREEN. I yield.

Mr. JOHNSON of Oklahoma. As the gentleman well knows, I am tremendously interested and deeply concerned about the subject of old-age security. I am also interested in the gentleman's remarks on that important subject. Permit me to add I agree wholeheartedly that we will never have a satisfactory Federal pension system until it deals with all sections alike. I agree also that the present system penalizes those living in the poorer States and have so stated many times during the past dozen years. Moreover, I agree thoroughly with the gentleman's statement that those with higher incomes should share in the contributions to the aged people. I have not read the bill to which the gentleman refers, but I am glad to hear the gentleman, who has been a consistent advocate of liberal old-age security benefits, say his bill is proposed to be financed on what seems to be a sound scientific basis. A gross-income tax is far more preferable, practical, and reasonable than the so-called transaction tax, which I have always contended was no more nor less than a pyramid sales tax.

Mr. GREEN. Yes. I thank the gentleman from Oklahoma, who, I am delighted to say, is a true and sincere friend of the aged people of America, and who has given much time and study to the problem of aiding in working out a fair and satisfactory measure for the deserving old people of America. Now, we contend that it should be based upon gross-income tax of those who have incomes of \$250 a month and above.

The citizens of my State are in dead earnest about obtaining passage of legislation for real security for the aged. They are organizing in all parts of the State and are earnestly and actively cooperating with the Florida delegation in Congress for passage of this legislation.

The St. Petersburg Advocate on the 10th of this month carried a report of the State-wide meeting held in Orlando, Fla., and attended by thousands. The report is as follows:

At 2:30 the mass meeting called at the Municipal Auditorium got under way. On the spacious stage, amid neatly arrayed palms, a perfect southern setting, were three Congressmen of the State of Florida who had voted for H. R. 6466 and thus placed themselves in the 101 immortals that will live long in American history.

Word had been received by Manley Goldsberry that J. HARDIN PETERSON, Representative from the First Congressional District, would be unable to attend. He sent his greetings and promise that he would continue to follow and fight for T. N. R. P. legislation.

GREEN SPEAKS

Congressman LEX GREEN was the first one to be introduced. LEX started the bombardment with a shot heard high. "Victory for the Townsend plan is within our immediate reach. I have never been as optimistic about success as I am today," spoke GREEN.

"The reasons are apparent. First, the language of the new bill, which will shortly be explained by Congressman HENDRICKS, is just about perfect. It is the plainest and the fairest. It takes the burden off the weak and puts it on the strong. Yes; the coupon clippers. You and I and others of the rank and file will fight until this bill is written into law.

"My friends, I have put on my fighting armor, my heart is full and I am ready to fight with every means—now and in the future until security for the aged is brought to my people." Congressman GREEN received a popular vote of confidence from the convention as he left.

JOE HENDRICKS

JOE HENDRICKS, Fifth Congressional District Representative, followed Bob Townsend on the speakers' list.

CANNON SPEAKS

Speaking of State representation, Representative CANNON said that with State issues that is the thing to do, represent the issues of your district and of Florida. "But," he said, "insofar as looking for economic stability, these United States are my bounds."

All citizens owe their allegiance to the Constitution of the United States. State constitutions control locally, but cannot supersede the Federal Constitution. Likewise, American citizens are citizens of the United States; to it they owe their allegiance, and from it they are entitled to security and protection. Pensions to the aged and to the blind should be paid equally, and in equal amount in every State in the Union. In practice of existing law, this is not being done. This grievous wrong must be righted.

CONTRIBUTIONS FROM WAGE EARNERS ARE TOO HEAVY

Under existing social-security retirement plan, contributions are made from wage earners up to \$250 per month, beginning of course with a meager earning of, I believe, \$200 per year. In some sections of this country, particularly in the farm areas, many wage earners do not obtain as much as \$200 a year. What about his social-security retirement under the present law? Also, what about the man who is not employed during each year gainfully the required number of days, and who does not receive the required amount during each quarter? This man loses his contribution rights and also his retirement-benefit rights. Under the present plan of retirement at 65 years of age, it is indicated that 15 percent of those taxed will be returned nothing at all, since they failed to qualify. Another 15 percent will get the statutory minimum of the act, of \$10 a month; and a good 40 percent more will receive under \$19 per month. This last group will have a monthly average of about \$14.50 per month. From this, it is apparent that more than half of those now contributing to old-age-pension retirement through their wages will get on an average of \$14.50 per month retirement after they reach 65 years of age. The other 50 percent of contributors will receive monthly pensions of from, say, \$19 up to \$85 per month. A comparatively few will receive \$85 per month because these will be the ones having paid in on monthly salaries of \$250 per month.

THE RICH SHOULD PAY ALSO

Why should contributions stop on salaries of \$250 per month and none be taxed on the higher salaries? This is all wrong. Regardless of the income and the salary of the individual the proportionate rate of payment should be made. Under actual operation of existing law those receiving the largest monthly payments will be those in the main who are already financially secure and who really do not need any Federal assistance, while the large majority of cases, those receiving the pittance of from \$10 to \$14.50 per month, will be the ones who are weak and insecure financially. My friends, again this is wrong.

The aged of our country should be adequately provided for and should share and share alike, in their old days, in Government pensions. Security of the aged is a Federal responsibility. Our Nation and our Government is as strong only as its citizens are. An economically secure and happy citizenship is the best assurance that our Nation can ever have prosperity and peace.

Under existing social-security law the large volume of payments and the burden of its operations come from those least able to pay. I favor social-security legislation which will exact a due and fair toll from those most able to pay rather than to continue to bleed the weak. H. R. 8264—the Townsend-plan bill—will equalize the burden of payments and security for our senior citizens. It exempts from tax small incomes up to \$250 per month; thence upward, a 2-percent gross income tax is levied and inexpensively collected. It is believed that the return from this source will give reasonable pensions to citizens who are 60 years of age and above. It is also believed that as prosperity increases the amount of money received will likewise increase and that the participants in this retirement plan will receive adequate pensions. The plan as offered in this bill is reasonable and workable and will give security and help for the aged. It is a pay-as-you-go plan.

Mr. HENDRICKS. Mr. Speaker, will the gentleman yield?

Mr. GREEN. I yield.

Mr. HENDRICKS. I would like to ask my colleague one or two questions. Does the gentleman from Florida believe that Florida will ever be able to take advantage of the provision of the present social-security law?

In other words, will we ever be able to match the present \$20 that the Federal Government will put up to pension the aged people of Florida?

Mr. GREEN. It looks very doubtful, I will say to my colleague. We have available to us now in Florida from the

Federal Government \$20 per month, but Florida is not matching it. The legislature, through its tax-gathering sources, so far has not put up enough to match it.

Mr. HENDRICKS. I believe the gentleman will agree with me that we have, in comparison with the number of people we have in the State of Florida, a larger percentage of old people than any other State in the Union, owing to the fact that they come there from other States to spend the last days of their lives.

Mr. GREEN. The gentleman is entirely correct.

Mr. HENDRICKS. I wonder if the gentleman could tell me the average pension that is being paid to the old people of the State of Florida today?

Mr. GREEN. I have the impression that the average is around \$11 a month for the small percentage who are participating at all in our State.

Mr. HENDRICKS. I believe that is correct according to the last report of the welfare board, but I understand the amount is now even less, and that the pension ranges from \$5 up to as high as \$20, or a little more in various counties.

Now, I want to say that I have had the pleasure of observing the gentleman from Florida [Mr. GREEN] ever since he has been a Member from Florida. I know he is vitally interested in the welfare not only of the old people of the State, but the little fellow, and he has ably represented all of his constituents. [Applause.]

Mr. GREEN. I thank my colleague.

Mr. HARRINGTON. Mr. Speaker, will the gentleman yield?

Mr. GREEN. I yield.

Mr. HARRINGTON. Does this bill replace the bill introduced by your colleague from Florida [Mr. HENDRICKS]?

Mr. GREEN. That is correct—H. R. 8264, known as the Townsend-plan bill, takes the place of the Hendricks bill of the last session.

Mr. HARRINGTON. I understand that the bill has a new tax base, from which the money will be raised, which is a scientific arrangement.

Mr. GREEN. The gentleman is correct. It provides for a gross income tax on incomes of \$250 a month and above.

Mr. HARRINGTON. In the other bill introduced by your distinguished colleague [Mr. HENDRICKS] what was the basis of the tax in that bill?

Mr. GREEN. It was a straight transaction tax. Another advantage about the new bill, I would say, exempts labor and the man of smaller earnings from having to make contribution.

Mr. HARRINGTON. But under the former bill which was considered by the House that was not done?

Mr. GREEN. It certainly was not. Everybody had to contribute, whether he was a charity recipient or what not.

Mr. HARRINGTON. As I understand the new bill, it does exempt the laborer?

Mr. GREEN. It does exempt everybody with earnings under \$250 a month.

Mr. HENDRICKS. Will my colleague yield further?

Mr. GREEN. I yield.

Mr. HENDRICKS. In answer to some of the questions raised by the gentleman from Iowa [Mr. HARRINGTON] we tried to take advantage of all the criticisms leveled at this bill before the Ways and Means Committee and on the floor of the House, and make a much better bill, which I am sure we have, from the reaction I have received not only from Members of the House, but from my constituents and people all over the country.

Mr. GREEN. Indeed it is a much better bill. In fact I consider this bill as a workable, just, fair, and equitable bill. I commend it to the favorable consideration of my colleagues. [Applause.]

The large salaries and incomes of individuals should appropriately be taxed to help take care of the needy. These incomes are more enormous than one would casually believe.

Recently the Treasury Department made public names of those who receive more than \$75,000 per year. The fabulous incomes of such individuals as Henry Ford and John D. Rockefeller are not included, but included are a few which are considered by the ultrarich as modest incomes; for instance, Thomas J. Watson, head of International Business Machines Corporation, with \$453,440; that was for 1938. This same year motion-picture actress Claudette Colbert pulled down an income of \$301,944, and Louis B. Mayer, M-G-M head, in 1937 drew a salary of \$1,161,753. Bing Crosby crooned out \$260,000, and even little Shirley Temple was paid \$114,848. Charles B. Dulcan, Sr., director of Hecht Co. Department Store, Washington, D. C., received the modest sum of \$101,309. William Randolph Hearst, the great publisher, drew \$500,000 in 1937. George Washington Hill, of the American Tobacco Co., obtained \$380,976 in 1938 and almost as much in 1937, and probably a great deal more in 1939, as the past year was a much better business year than 1938, and, mind you, during the past year of 1939 the tobacco growers in my district hardly obtained cost of production of the tobacco. The price of cigarettes, chewing tobacco, and snuff remained the same or even more during this bad sales period of 1939. W. S. Knudsen, of General Motors, was paid \$303,400; Walter P. Chrysler, of Chrysler Motors, \$189,136; and Winthrop Aldrich, of the Chase National Bank, New York City, in 1938 was paid \$177,600; Owen D. Young, General Electric Corporation, drew the handsome salary of \$245,447. Why, H. F. Sinclair, of Consolidated Oil Co., drew \$200,550 in 1938.

It is only fair and just and in the interest of better life in America that these huge salaries and incomes should bear their part toward giving the necessities of life and security to the aged of this country, and I shall never cease my efforts nor lay down my weapons until the aged and needy of this Nation are cared for.

PAY AS YOU GO

With the large Federal expenditures now required, and also a deficit in the Federal Treasury, it is indeed appropriate to have security for the aged on a pay-as-you-go basis. It would occur to me that any individual or organization receiving more than \$250 per month would be willing to give 2 percent for the security of the aged and less fortunate. The earning possibilities of these who pay this 2-percent income tax will be substantially enhanced. The huge sums of money in this manner paid to the senior citizens of our country will rapidly develop into springs of increased purchasing power and flow rapidly into streams of ever-increasing prosperity. This increased demand for manufactured goods will cause the factories to call at the sources of production for raw material, then call for additional factory hands, and thousands of additional employees for distribution and transfer. Increased production will be assured.

UNDERCONSUMPTION—NOT OVERPRODUCTION

I doubt that our Nation has suffered from overproduction. It is my belief that it has been a matter of underconsumption. The funds flowing out through the operation of this law will give the added purchasing power which will enable consumption of existing surplus production, and make demand for an ever-increasing production. Employment left by our senior citizens will be taken up by younger persons who are more able to work and who are filled with the American inherent desire to be self-sustaining and independent. It is obvious that the operation of this law will make absolutely unnecessary huge Federal funds which are now of necessity being appropriated for the relief of the unemployed.

EMPLOYMENT IS CRYING NEED

Idleness is conducive to wrongdoing. Employment is the crying need for some ten or eleven million American citizens today. With their employment crime will wane, and with the returning of prosperity, better living will come and more noble citizenship will be achieved. [Applause.]

H. R. 8264 follows:

A bill to provide for national recovery by raising revenue and retiring citizens past 60 years of age from gainful employment and provide for the general welfare of all the people of the United States, and for other purposes

Be it enacted, etc., That this act may be cited as the "General Welfare Act."

TITLE I

DEFINITIONS

SECTION 101. The term "gross income" means the gross receipts of the taxpayer received as compensation for personal services and the gross receipts of the taxpayer derived from trade, business, commerce, or the sale of tangible or intangible property and including interest, dividends, discounts, rentals, royalties, fees, commissions, bonuses, or prizes or any other emoluments however designated and without any deductions on account of the cost of property sold, the cost of materials used, labor cost, taxes, royalties, interest or discount paid, or any other expenses whatsoever.

Sec. 102. When used in this act the term "wages" means all remuneration for employment, including the cash value of all remuneration paid in any medium other than cash.

Sec. 103. The term "Secretary of the Treasury" or "Secretary" means the Secretary of the Treasury of the United States of America.

Sec. 104. The term "property" means real and/or personal property and includes stocks, bonds, and choses in action, and includes also any right, interest, equity, easement, appurtenance, or privilege and commercial value in such property or related thereto.

Sec. 105. The term "persons" or "companies" shall include every individual, partnership, society, unincorporated association, joint adventure, group, joint-stock company, corporation, trustee, executor, administrator, trust estate, decedent's estate, trust, or other entity, whether doing business for themselves or in a fiduciary capacity, and whether the individuals are residents or nonresidents of the United States and whether the corporation or other association is created or organized under the laws of the United States or of another jurisdiction.

Sec. 106. When used in this act—

- (1) the term "United States" when used in a geographical sense means all land possessions of the United States; and
- (2) the term "employee" includes an officer of a corporation.

TITLE II

GROSS INCOME TAX

SECTION 201. In addition to all other excises, duties, or taxes there shall be levied, collected, and paid a tax of 2 percent of the gross income of all persons or companies derived from any and all sources, over and above \$250 for each calendar month, and such \$250 shall be deducted monthly if received as wages or salary and may be deducted on an annual basis if derived from any other source.

RULES AND REGULATIONS

Sec. 202. The taxes imposed by this title shall be collected by the Bureau of Internal Revenue under the direction of the Secretary of the Treasury, and shall be paid into the Treasury of the United States as internal-revenue collections.

Sec. 203. The Secretary of the Treasury may distrain upon any goods, chattels, or intangibles represented by negotiable evidences of indebtedness of any taxpayer delinquent under this title for the amount of all taxes, penalties, and interest accrued and unpaid hereunder.

Sec. 204. The Secretary of the Treasury shall be empowered to designate the manner and place for filing returns and payment of tax and shall provide such forms and instructions as may be necessary for the proper administration of this act.

Sec. 205. The tax shall be computed on the total gross income of all persons and companies at the end of each calendar month and a complete return filed with the Secretary of the Treasury before the 20th day of the calendar month following the month in which the tax accrues, unless no tax is due under the exemptions as provided in section 201.

Sec. 206. All remittances of taxes imposed by this act shall be made to the place designated by the Secretary of the Treasury on or before the 20th day of the second month after they accrue; such returns shall be verified by the oath of the taxpayer if an individual or by oath of an officer or director, if made on behalf of a company. If made on behalf of a partnership, firm, society, unincorporated association, group, joint adventure, joint-stock company, corporation, trust estate, decedent's estate, trust, or other entity, any individual delegated by such partnership, firm, society, unincorporated association, group, joint adventure, joint-stock company, corporation, trust estate, decedent's estate, trust, or other entity shall make the oath on behalf of the taxpayer. If for any reason it is not practicable for the individual taxpayer to make the oath, the same may be made by any duly authorized agent, who shall then be held entirely responsible for the correctness of such return.

COLLECTIONS, ASSESSMENTS, AND APPEALS

Sec. 207. If the taxpayer shall make any error in computing the tax assessable against him, the Secretary of the Treasury shall correct such error, reassess the proper amount of taxes, and notify the taxpayer of his action by mailing to him promptly, by registered mail, return receipt requested, a copy of the corrected assessment, and any additional tax for which such taxpayer may be liable shall be paid within 10 days after the receipt of such notice.

Sec. 208. If the amount already paid exceeds that which should have been paid on the basis of the tax so recomputed, the excess so paid shall be immediately refunded to the taxpayer by the Secretary of the Treasury out of the funds collected under this act. The taxpayer may, at his election, apply an overpayment credit to taxes subsequently accruing hereunder.

Sec. 209. If any person having made the return and paid the tax as provided by this act feels aggrieved by any assessment so made upon him for any specified period by the Secretary of the Treasury, he may appeal from said assessment by filing a petition in the manner provided by section 871 of the Internal Revenue Code. The provisions of chapter 5 of the Internal Revenue Code shall be applicable to proceedings with respect to any such petition except that where final judgment is in favor of the taxpayer for the repayment to him in whole or in part of taxes paid, the Secretary of the Treasury shall, upon the presentation by the taxpayer to him of a certified copy of such final judgment, issue his warrant against any funds collected under this act.

Sec. 210. The Secretary of the Treasury shall enforce the payment of the excises, taxes, or duties required by this act to be paid, and shall promptly deposit in the United States Treasury all moneys received by him through or from the collection of such excises, taxes, or duties.

Sec. 211. For the purpose of the income tax imposed by title I of the Revenue Act of 1934 or by any act of Congress in substitution therefor, the tax imposed by section 101 shall be allowed as a deduction to the taxpayer in computing his net income for the year in which such tax is deducted.

Sec. 212. All provisions of law, including penalties, applicable with respect to any tax imposed by section 600 or section 800 of the Revenue Act of 1926, and the provisions of section 607 of the Revenue Act of 1934, shall, insofar as applicable and not inconsistent with the provisions of this title, be applicable with respect to the taxes imposed by this title.

Sec. 213. All Federal officers or agents making contracts on behalf of the United States of its instrumentalities or any political subdivision thereof shall withhold payment in the final settlement of any contracts until the receipt of a certificate from the Secretary of the Treasury or his duly appointed agent to the effect that all taxes levied or accrued under this title against such contractor have been paid.

EXEMPTIONS

Sec. 214. The provisions of this title shall not apply to the following persons: (1) Fraternal benefit societies, orders, or associations, operating under the lodge system, or for the exclusive benefit of the members of the fraternity itself, operating under the lodge system, and providing for the payment of death, sick, accident, or other benefits to the members of such societies, orders, or associations, and to their dependents or beneficiaries; (2) corporations, associations, or societies organized and operated exclusively for religious, charitable, scientific, or educational purposes; (3) business leagues, chambers of commerce, labor organizations, boards of trade, civic leagues, and other similar organizations operated exclusively for the benefit of the community and for the promotion of social welfare and not for commercial trading in any form and from which no profit inures to the benefit of any private stockholder or individual; (4) hospitals, infirmaries, and sanatoria, from which no profit inures to the benefit of any private stockholder or individual; (5) amounts received under life-insurance policies and contracts paid by reason of death of the insured; (6) amounts received under property insurance policies; (7) amounts received by any person under any accident-insurance or health-insurance policy or contract or under workmen's compensation acts or employers' liability acts, as compensation for personal injuries, death, or sickness, including also the amount of any damages or other compensation received, whether as a result of action or by private agreement between the parties on account of such personal injuries, death, or sickness; (8) amounts received by any person as compensatory damages for any tort injury to him, or his character or reputation, or received by any person as compensatory damages for any tort injury or destruction to property, whether as the result of action or by private agreement between the parties; except amounts received by any person as punitive damages for tort injury or breach-of-contract injury; (9) amounts received by any person as a benefit payment so-called or like payments by virtue of acts passed by the Congress of the United States relating thereto and disbursed to others as such benefit payment; but the Secretary of the Treasury may by regulation require any such deductions to be set forth specifically by the taxpayer in his return: *Provided, however,* That exemptions, one to nine inclusive, shall apply only to the gross income received from nonprofit activities.

PENALTIES

Sec. 215. It shall be unlawful for any person to refuse to make any returns provided for in this title; or to make any false or fraudulent return or false statement in any return with intent to defraud the United States, or to evade the payment of the tax, or any part thereof, imposed by this title; or for any person to aid or abet another in any attempt to evade the payment of the tax, or any part thereof, imposed by this title; or for any officer or director of any company to make, or permit to be made, or any company, corporation, association, or other legal entity to make any false return, or any false statement in any return required by this title, with the intent to evade the payment of any

tax hereunder. Any person violating any of the provisions of this title shall be guilty of a felony, and upon conviction, shall be fined not more than \$10,000 or by imprisonment not exceeding 10 years, or by both such fine and imprisonment. In addition to the foregoing penalties, any person who shall knowingly swear to or verify any false or fraudulent return, or any return containing any false or fraudulent statement, with the intent aforesaid, shall be guilty of the offense of perjury, and, on conviction thereof, shall be punished in the manner provided by law. Any corporation for which a false return, or a return containing a false statement, as aforesaid, shall be made, shall be guilty of a felony and shall be punished by a fine of not more than \$10,000. If the tax imposed under this title is not paid when due, there shall be added as part of the tax, interest at the rate of one-half of 1 percent per month from the date the tax became due until paid.

SEC. 216. The Federal Insurance Contributions Act is hereby repealed.

TITLE III ANNUITIES

SECTION 301. There is hereby created an account in the Treasury of the United States to be known as the General Welfare Account (hereinafter referred to as the "account"). There are hereby authorized to be appropriated annually amounts to be equal to the estimated revenue derived under title I of this act. On the twentieth day of the month succeeding the month in which this act is enacted, and on the twentieth day of each calendar month thereafter, there shall be credited to the account an amount equal to the amount of revenue to be collected under the provisions of such title as indicated by the returns filed during the preceding calendar month. Such amounts shall be available for making the payments as hereinafter provided. The Secretary of the Treasury shall submit annually to the Bureau of the Budget an estimate of the appropriations to be credited to the account.

SEC. 302. Amounts estimated by the Secretary of the Treasury to be necessary for monthly expenditures in the administration of this title shall be deducted from amounts credited to the account each month. The remaining amount credited to the account for each month shall be prorated and paid monthly to each qualified annuitant for the first month after the amounts are credited to the account, except that any such payment shall not exceed \$200 for any one month. Any surplus remaining in the account after the maximum monthly payments are made to each such annuitant shall be applied toward the liquidation of the national debt, until the national debt is paid, after which it shall go into the Treasury of the United States.

QUALIFICATIONS

SEC. 303. Every citizen who is 60 years of age or over shall, upon filing an application under oath as hereinafter provided, be entitled to receive an annuity payable in monthly installments during the remainder of the life of each such person.

SEC. 304. (a) The annuity shall be spent within the United States or its Territories or possessions or en route between the States and such Territorial possessions, on ships of American registry, for commodities or services (except gambling), giving preference to commodities grown, produced, or manufactured within the United States, its Territories, and possessions, and for services rendered by citizens of the United States.

(b) Each installment of the annuity shall be spent by the annuitant within 30 days of the time of its receipt.

(c) An annuitant shall not engage in any occupation, business, or other activity from which a profit, wage, or other compensation is realized or attempted, except that nothing in this title shall be construed to prohibit an annuitant from collecting interest, rents, or other revenues from his own investments. No annuitant shall support an able-bodied person in idleness except a spouse. No annuity shall be paid to any person for any period that such person is forcibly confined in a penal institution or an institution for mental incompetents, and no person shall be entitled to any annuity while so confined, or until a new application is approved for him after his release.

(d) Any annuitant may waive all or any part of his right to an annuity under this title by filing a notice thereof with the Secretary of the Treasury in such manner as the Secretary of the Treasury shall prescribe. Any such waiver shall not affect the right of any person to apply for an annuity at any time thereafter.

(e) Any sum received by an annuitant which represents the proceeds of a sale of any real property acquired through the use of money received as an annuity under this title, shall be expended by the annuitant within 6 months after the receipt of such proceeds of such a sale.

(f) An annuitant shall not pay to any person any salary, wages, or other compensation in disproportion to the services rendered.

(g) It shall be the duty of each annuitant while receiving an annuity to pay his just obligations for purchases, rents, or services rendered, and to pay at least 10 percent of any monthly installment on just obligations incurred before such annuitant received any month under this title.

(h) Each annuitant shall covenant and agree in his application for an annuity to comply with all the provisions of this title and all rules and regulations prescribed by the Secretary of the Treasury to carry out the provisions of this title.

REGULATIONS

SEC. 305. (a) Payments of the amounts due each annuitant under this title shall be made at regular monthly intervals in such manner as will provide for such payments to be in the hands of each annuitant as near the first day of each month as possible.

(b) The Secretary of the Treasury shall furnish application blanks and other necessary forms to the Post Office Department for distribution to persons by local post offices for the purpose of applying for the benefits of this title.

(c) Applications for annuities and any returns required to be made by an annuitant may be filed in local post offices and forwarded by the postmasters thereof to the Secretary of the Treasury. Postmasters, assistant postmasters, postal employees designated by them and notaries public shall have the power to administer oaths where required under this title and may collect a fee of 25 cents.

SEC. 306. (a) The Secretary of the Treasury is authorized and directed to prescribe such rules and regulations as may be necessary to carry out the provisions of this title.

(b) The Secretary of the Treasury is hereby empowered to call upon other departments or agencies of the United States to aid in the administration of this title.

(c) The Secretary of the Treasury is also empowered to make adjustments with respect to the time in which installments shall be expended in case payments to any person may have been delayed and there is an accumulation of two or more installments.

SEC. 307. The right to receive any payment under this title shall not be transferable or assignable, at law or in equity, and none of the moneys paid or payable or rights existing under this title shall be subject to execution, levy, attachment, garnishment, or other legal process, or to the operation of any bankruptcy or insolvency law, except as provided in section 304, subsection (g).

PENALTIES

SEC. 308. Whoever in any application or any payment under this title knowingly or willfully makes any false statement of a material fact, or fails or refuses to obey any rule, or regulation, issued by the Secretary of the Treasury under this title, or violates any provision of this title shall be prosecuted by the United States attorney in the United States district court in the district in which the offense occurred, and upon conviction the annuitant shall forfeit each month the remainder of his life one-fourth of the annuity to which he would otherwise be entitled, but shall suffer no other penalty no matter on how many counts on which he was convicted. Upon a subsequent conviction for such a misdemeanor occurring thereafter he shall forfeit an additional one-fourth of the annuity to which he would have been entitled had he never violated the law, for a third conviction another one-fourth, and for a fourth conviction shall forfeit entirely his right to any annuity under the terms of this title.

TITLE IV

GENERAL PROVISIONS

SECTION 401. Titles I and II of the Social Security Act, as amended, are hereby repealed.

SEC. 402. All acts or parts of acts in conflict with the provisions of this act are hereby repealed to the extent of such conflict.

SEC. 403. Any person who accepts an annuity under this act shall not be entitled, for any period that such annuity is received, to any pension, unemployment insurance, or other benefit to which he would otherwise be entitled under any Federal law.

SEC. 404. Whenever under this act or any act of Congress, or under the law of any State, an employer is required or permitted to deduct any amount from the remuneration of an employee and to pay the amount deducted to the United States, a State, or any political subdivision thereof, then for the purposes of this act the amount so deducted shall be considered to have been paid to the employee at the time of such deduction.

SEC. 405. If any part of this act is for any reason held to be unconstitutional, it shall not affect any other part of this act.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein the bill referred to.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. MANSFIELD (at the request of Mr. LUTHER A. JOHNSON), for this week, on account of illness.

To Mr. MAGNUSON, for February 27, on account of official business.

To Mr. JARRETT (at the request of Mr. DITTER), for the week, on account of illness.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 112. An act to facilitate control of soil erosion and flood damage on lands within the Ozark and Ouachita National Forests in Arkansas;

H. R. 1456. An act for the relief of Maj. Herbert A. Jacob;

H. R. 2860. An act for the relief of Ben Willie Jones, as legal representative of Thelma Jones, a deceased minor;

H. R. 3391. An act providing payment to employees, Bureau of Reclamation, for mileage traveled in privately owned automobiles;

H. R. 3794. An act to establish the Kings Canyon National Park, Calif., to transfer thereto the lands now included in the General Grant National Park, and for other purposes;

H. R. 4198. An act for the relief of M. L. Parish;

H. R. 6084. An act for the relief of Kathryn S. Anderson;

H. R. 7050. An act for the relief of certain former disbursing officers for the Civil Works Administration;

H. R. 8237. An act to amend the District of Columbia Revenue Act of 1939; and

H. J. Res. 456. Joint resolution making available for the fiscal year 1940 an additional amount from the special funds heretofore set up for the payment of compensation benefits authorized by certain emergency relief appropriation acts.

ADJOURNMENT

Mr. RABAUT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 27 minutes p. m.), pursuant to its order heretofore ordered, the House adjourned until tomorrow, Tuesday, February 27, 1940, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting on Tuesday, February 27, 1940, at 10 a. m., before the Petroleum Subcommittee of the Committee on Interstate and Foreign Commerce. Industry will be heard.

COMMITTEE ON ROADS

The Committee on Roads will continue hearings at 10 a. m. Tuesday, February 27, 1940, on H. R. 7891, to assist the States in the improvement of highways, when the United States Commissioner of Public Roads will be heard.

COMMITTEE ON INDIAN AFFAIRS

There will be a meeting of the Committee on Indian Affairs on Wednesday next, February 28, 1940, at 10:30 a. m., for the consideration of H. R. 5477, H. R. 6957, and H. R. 8499.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following date on the matters named:

Tuesday, March 12, 1940:

H. R. 5476, to create the Alaska Fisheries Commission, and for other purposes.

H. R. 6690, making further provision for the protection of the fisheries of Alaska, and for other purposes.

H. R. 7542, to amend section 6 of an act of Congress entitled "An act for the protection of the fisheries of Alaska, and for other purposes," approved June 6, 1924.

H. R. 7987, to amend section 1 of the act of June 6, 1924, as amended, relative to the fisheries of Alaska.

H. R. 7988, making provision for employment of the residents of Alaska in the fisheries of said Territory, and for other purposes.

H. R. 8115, making provision for employment of residents of Alaska only in the salmon fishery of the Bristol Bay area, Alaska, during the year 1940.

H. R. 8172, to amend section 5 of the act of Congress approved June 26, 1906, relative to the Alaska salmon fishery.

Tuesday, March 19, 1940:

H. R. 6136, to amend the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911 (36 Stat. 1353; 34 U. S. C. 1122), so as to authorize an appropriation of \$50,000 annually to aid in the maintenance and support of marine schools.

H. R. 7094, to authorize the United States Maritime Commission to construct or acquire vessels to be furnished the States of New York, Massachusetts, Pennsylvania, and California for the benefit of their respective nautical schools, and for other purposes.

H. R. 7870, to extend the provisions of the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911, to include Astoria, Oreg.

COMMITTEE ON THE CENSUS

Beginning Tuesday, February 27, 1940, the Committee on the Census will hold hearings at 10 a. m. in room 213, House Office Building, on the reapportionment of Representatives in Congress.

COMMITTEE ON IRRIGATION AND RECLAMATION

The committee on Irrigation and Reclamation will hold hearings Tuesday, February 27, 1940, at 9:30 a. m. Bills to be considered, H. R. 6116 and H. R. 8498.

COMMITTEE ON FOREIGN AFFAIRS

There will be a hearing Tuesday, February 27, 1940, at 10 a. m., before the Committee on Foreign Affairs on House Joint Resolution 412, House Joint Resolution 430, and House Joint Resolution 436, for the relief of the distressed and starving women and children of Poland.

COMMITTEE ON FOREIGN AFFAIRS

The Committee on Foreign Affairs will meet at 10:30 a. m., Wednesday, February 28, 1940, for consideration of House Joint Resolution 428 and House Joint Resolution 429, to provide for participation of the United States in the Golden Gate International Exposition at San Francisco in 1940, to continue the powers and duties of the United States Golden Gate International Exposition Commission, and for other purposes.

COMMITTEE ON THE JUDICIARY

On Wednesday, February 28, 1940, at 10 a. m., there will be continued before Subcommittee No. 1 of the Committee on the Judiciary public hearings on the following bills:

H. R. 3331 and S. 1032, to amend the act entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States," and for other purposes.

H. R. 6395, to extend the provisions of the act entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," approved June 30, 1936, to certain contracts carried out with the aid of Federal funds.

The hearings will be held in room 346, House Office Building.

COMMITTEE ON PATENTS

The Committee on Patents, House of Representatives, will hold hearings Thursday, March 14, 1940, at 10:30 a. m., on H. R. 8445, to protect the United States in patent-infringement suits. H. R. 8445 is a substitute for H. R. 6877.

The Committee on Patents will hold hearings Thursday, March 21, 1940, at 10:30 a. m., on S. 2689, to amend section 33 of the Copyright Act of March 4, 1909, relating to unlawful importation of copyrighted works.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1408. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill which, if enacted, would authorize the Secretary of the Interior to lease, or grant revocable permits for any public lands in the Territory of Alaska, lying within 80 rods of any navigable or other waters; to the Committee on the Public Lands.

1409. A letter from the Chairman, Reconstruction Finance Corporation, transmitting a report of the activities and expenditures of the Reconstruction Finance Corporation for the month of January 1940 (H. Doc. No. 638); to the Committee on Banking and Currency and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. TAYLOR: Committee on Appropriations. H. R. 8641. A bill making appropriations to supply deficiencies in certain

appropriations for the fiscal year ending June 30, 1940, to provide supplemental appropriations for such fiscal year, and for other purposes; without amendment (Rept. No. 1672). Referred to the Committee of the Whole House on the state of the Union.

Mr. MANSFIELD: Committee of conference. H. R. 7270. A bill to amend the Bonneville Project Act (Rept. No. 1673). Referred to the Committee of the Whole House on the state of the Union.

Mr. JONES of Texas: Committee on Agriculture. S. 1836. An act to promote farm ownership by amending the Bankhead-Jones Farm Tenant Act to provide for Government-insured loans to farmers; to encourage sale of farms held by absentee owners to farm tenants; and to enable tenant farmers to become owners of farm homes through long-term low-interest-rate loans on farms, and for other purposes; with amendment (Rept. No. 1675). Referred to the Committee of the Whole House on the state of the Union.

Mr. JONES of Texas: Committee on Agriculture. H. R. 8450. A bill to make permanent the reduced rates of interest on Federal land bank and land bank commissioner loans; without amendment (Rept. No. 1676). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOBBS: Committee on the Judiciary. H. R. 8238. A bill providing for the incorporation of the United Spanish War Veterans; without amendment (Rept. No. 1677). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 398. Resolution for the consideration of S. 3069, an act to provide for increasing the lending authority of the Export-Import Bank of Washington, and for other purposes; without amendment (Rept. No. 1678). Referred to the House Calendar.

Mr. DEMPSEY: Committee on Rules. House Resolution 399. Resolution for the consideration of H. R. 7809, a bill authorizing the reconstruction or replacement of certain bridges necessitated by the Rio Grande canalization project and authorizing appropriation for that purpose; without amendment (Rept. No. 1679). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 275. Resolution investigating the extent to which the United States is dependent upon foreign nations for its supply of tin; without amendment (Rept. No. 1680). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. BLAND: Committee on Merchant Marine and Fisheries. House Joint Resolution 453. Joint resolution authorizing Capt. William Bowie, former Chief of the Division of Geodesy in the United States Coast and Geodetic Survey, Department of Commerce, to accept and wear the decoration of the Cross of Grand Officer of the Order of St. Sava; without amendment (Rept. No. 1674). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DOXEY:

H. R. 8642. A bill to establish and promote the use of standard methods of grading cottonseed, to provide for the collection and dissemination of information on prices and grades of cottonseed and cottonseed products, and for other purposes; to the Committee on Agriculture.

By Mr. BLAND:

H. R. 8643. A bill to provide uniformity in designations of certain historic areas, sites, and buildings administered by the Secretary of the Interior, and for other purposes; to the Committee on the public lands.

By Mr. CURTIS:

H. R. 8644. A bill to remove limitations on the amount of real-estate loans insured under title II of the National Housing Act which may be made by a national bank; to the Committee on Banking and Currency.

By Mr. DUNN:

H. R. 8645. A bill to provide Saturday half holidays for char force working in Post Office Department; to the Committee on the Civil Service.

By Mr. ENGLEBRIGHT:

H. R. 8646. A bill to authorize the exchange of certain patented lands in the Death Valley National Monument for Government lands in the monument; to the Committee on the Public Lands.

By Mr. FERNANDEZ:

H. R. 8647. A bill to amend the Railroad Retirement Act; to the Committee on Interstate and Foreign Commerce.

By Mr. HOOK:

H. R. 8648. A bill to provide for the addition of certain lands to the proposed Isle Royale National Park, in the State of Michigan, and for other purposes; to the Committee on the Public Lands.

By Mr. LECOMPTE:

H. R. 8649. A bill to authorize credits to taxpayers against the 1936, 1937, 1938, and 1939 tax under title IX of the Social Security Act, for contributions to State unemployment funds for the years aforesaid; to the Committee on Ways and Means.

By Mr. JOHN L. McMILLAN:

H. R. 8650. A bill granting the consent of Congress to the State Highway Department of South Carolina, to construct, maintain, and operate a free highway bridge across the Great Pee Dee River, at or near Cashua Ferry, S. C.; to the Committee on Interstate and Foreign Commerce.

H. R. 8651. A bill providing for the examination and survey of the channel at Murrell Inlet, S. C.; to the Committee on Rivers and Harbors.

By Mr. THILL:

H. R. 8652. A bill to authorize a preliminary examination and survey of the Milwaukee River and its tributaries in the State of Wisconsin for flood control, for run-off and water-flow retardation, and for soil-erosion prevention; to the Committee on Flood Control.

By Mr. WARREN:

H. R. 8653. A bill to amend an act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress, approved June 18, 1929, so as to change the date of subsequent apportionments; to the Committee on the Census.

By Mr. DINGELL:

H. R. 8654. A bill authorizing an appropriation of \$20,000,000 for the relief of destitution among the civilian population of the subjugated Republic of Poland; to the Committee on Foreign Affairs.

By Mr. GEYER of California:

H. R. 8655. A bill to provide for employment, for cooperation by the Federal Government with the several States in relieving the hardships and suffering caused by unemployment, and for other purposes; to the Committee on Labor.

By Mr. BOLAND:

H. R. 8656. A bill prohibiting officers and employees of the United States from receiving payments of special taxes on liquor dealers from persons engaged in the business of selling liquors in violation of State laws; to the Committee on Ways and Means.

By Mr. KERR:

H. R. 8657. A bill to amend the Agricultural Marketing Agreement Act of 1937, as amended; to the Committee on Agriculture.

By Miss SUMNER of Illinois:

H. R. 8658. A bill for the relief of Finland; to the Committee on Appropriations.

By Mr. McLEOD:

H. J. Res. 472. Joint resolution to prohibit the sale or disposal of the United States customhouse for the city of Detroit; to the Committee on Public Buildings and Grounds.

By Mr. KEE:

H. J. Res. 473. Joint resolution for the relief of the distressed and starving men, women, and children of Poland; to the Committee on Foreign Affairs.

By Mr. DONDERO:

H. Res. 397. Resolution favoring the deletion from the Sixteenth Census population schedule of inquiries Nos. 32 and 33, relating to compensation received; to the Committee on the Census.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FERNANDEZ:

H. R. 8659. A bill to clear the name of Burney Peters; to the Committee on Naval Affairs.

By Mr. THOMAS F. FORD:

H. R. 8660. A bill for the relief of the Pacific Indemnity Co., of Los Angeles, Calif.; to the Committee on Claims.

By Mr. GEYER of California:

H. R. 8661. A bill for the relief of Foot's Transfer & Storage Co., Ltd.; to the Committee on Claims.

By Mr. KENNEDY of Maryland:

H. R. 8662. A bill for the relief of Maj. E. Leslie Medford; to the Committee on Claims.

By Mr. MAGNUSON:

H. R. 8663. A bill for the relief of Dave Hougardy; to the Committee on Claims.

By Mr. SMITH of Virginia:

H. R. 8664. A bill for the relief of Phillip Christian Holt; to the Committee on Claims.

H. R. 8665. A bill to provide for the issuance of a license to practice chiropractic in the District of Columbia to Lou Davis; to the Committee on the District of Columbia.

By Mr. WARREN:

H. R. 8666. A bill for the relief of certain claimants on account of loss by fire for which the United States was adjudged liable; to the Committee on Claims.

By Mr. WHITE of Idaho:

H. R. 8667. A bill for the relief of Edward Pittwood; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6664. By Mr. FLAHERTY: Petition of the Boston Marine Society, Boston, Mass., urging that action on conference report to be submitted by committee acting on Wheeler-Lea transportation bill be delayed for a period of 30 days; to the Committee on Interstate and Foreign Commerce.

6665. By Mr. GRANT of Indiana: Petition of Noel L. Van Durmen, secretary of the Mishawaka Homing Pigeon Club, of Mishawaka, Ind., and 82 others, urging enactment of House bill 7813, a bill to safeguard the homing pigeon; to the Committee on Agriculture.

6666. By Mr. HARTER of New York: Petition of a group of citizens of Buffalo, N. Y., supporting House bill 1, the so-called Patman chain-store tax bill; to the Committee on Ways and Means.

6667. By Mr. HOUSTON: Petition of Florence Taylor and 32 other citizens of Wichita, Kans., urging passage of Senate bill 280 by the House of Representatives; to the Committee on Interstate and Foreign Commerce.

6668. By Mr. LUTHER A. JOHNSON: Petition of Hon. Ed Bradford, Hon. R. A. Fuchs, Hon. C. M. McFarland, Hon. B. J. Leyendecker, Hon. W. T. McDonald, Hon. James E. Taylor, Hon. Jeff D. Stinson, and Hon. George F. Howard, members of the Texas Legislature, opposing House bill 7372; to the Committee on Interstate and Foreign Commerce.

6669. By Mr. MARTIN J. KENNEDY: Petition of the Public Health Federation, Cincinnati, Ohio, urging approval of the Barkley stream pollution bill (S. 625), as amended by the Rivers and Harbors Committee; to the Committee on Rivers and Harbors.

6670. Also, petition of the Anti-Narcotic League, Inc., Seattle, Wash., urging passage of House Joint Resolution 103, its purpose being a national survey under the supervision of the United States Public Health Service; to the Committee on Interstate and Foreign Commerce.

6671. By Mr. KEOGH: Petition of the Atlantic Fishermen's Union, Local 21455, Boston, Mass., concerning a congressional investigation of the fishing industry; to the Committee on Merchant Marine and Fisheries.

6672. Also, petition of Loose-Wiles Biscuit Co., Long Island City, N. Y., concerning the O'Mahoney-Hobbs bill, which proposes to amend the antitrust laws; to the Committee on the Judiciary.

6673. Also, petition of the Brooklyn Women's Club, Brooklyn, N. Y., favoring legislation to protect the jobs of the Brooklyn sugar-refinery workers; to the Committee on Foreign Affairs.

6674. Also, petition of John B. Andrews, secretary, American Association for Labor Legislation, New York City, concerning Senate bill 2420; to the Committee on Mines and Mining.

6675. Also, the petition of the Public Health Federation, Cincinnati, Ohio, concerning the Barkley stream pollution bill (S. 625) as amended; to the Committee on Agriculture.

6676. By Mr. LeCOMPTE: Petition of sundry citizens of Ottumwa, Iowa, in the interest of the Federal chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6677. Also, petition of sundry citizens of Ottumwa, Iowa, in the interest of House bill 1, called the Federal chain-store tax; to the Committee on Ways and Means.

6678. By Mr. PFEIFER: Petition of the Public Health Federation, Cincinnati, Ohio, urging approval of the Barkley stream pollution bill (S. 625), as amended; to the Committee on Agriculture.

6679. Also, petition of the Brooklyn Woman's Club, Brooklyn, N. Y., urging limitation on importation of tropical refined sugar; to the Committee on Foreign Affairs.

6680. By Mr. SCHWERT: Resolution of the grand lodge of the International Ship Masters' Association, submitted by Buffalo Lodge, No. 1, objecting to the development of the St. Lawrence seaway; to the Committee on Interstate and Foreign Commerce.

6681. By Mr. PLUMLEY: Petition of Middlebury, Vt., post-office employees, favoring House bill 3649, the longevity-pay bill; to the Committee on the Post Office and Post Roads.

6682. By Mr. SCHIFFLER: Petition of G. Stanley Hamric, department adjutant of West Virginia, the American Legion, and officers and members of post committees of the posts of the American Legion from Morgantown, Mannington, Fairmont, Kingwood, Grafton, Philippi, Pickens, Elkins, Parsons, Davis, Keyser, Piedmont, Romney, Moorefield, Franklin, Petersburg, Berkeley Springs, Martinsburg, and Charles Town, W. Va., urging the enactment into law of Senate bill 3060 or House bill 7618; to the Committee on Military Affairs.

6683. By Mr. THOMAS of New Jersey: Letter from Otto J. Berchtold, president, Passaic and Bergen County division, New Jersey Bakers' Board of Trade, together with petitions signed by approximately 550 residents of Bergen and Passaic Counties, N. J., opposing the passage of the Wheeler bill (S. 2395); to the Committee on Ways and Means.

6684. By Mr. WIGGLESWORTH: Petition of the executive council of the Massachusetts State Federation of Labor, urging the rescinding of Treasury Decision No. 49682 and an investigation of the fishing industry; to the Committee on Merchant Marine and Fisheries.

6685. By the SPEAKER: Petition of the South End Christian Youth Conference, Newark, N. J., petitioning consideration of their resolution with reference to America's entrance into any foreign war; to the Committee on Military Affairs.